

Item Court 16
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28-09-2020
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C.R.M. 6991 of 2020
IA No. CRAN 1 of 2020
(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hili Police Station Case No. 49 of 2020 dated 28.03.2020 under sections 341/326/307/506/34 of the Indian Penal Code.

Allowed

Shiba Gupta
Versus
State of West Bengal

Mr. Kaushik Choudhury, Adv.
Ms. Busra Khatun, Adv.

...for the petitioner

Mr. Saibal Bapuli, Adv.
Ms. Arani Bhattacharyya, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Accordingly, CRAN 1 of 2020 is disposed of.

Learned Counsel appearing on behalf of the petitioner submits that the charge-sheet has already been submitted in this case. As such, custodial interrogation of the petitioner is not required.

Learned Counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the injury report.

Considering the nature of allegations and the role ascribed to the petitioner, we do not think this case warrants custodial interrogation of the petitioner. However, considering the nature of allegations, movement of the petitioner requires to be restricted.

Accordingly, in the event of arrest, the petitioner will be enlarged on bail

on furnishing security bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall not enter the jurisdiction of Hili Police Station except for meeting the investigating officer and attending court until further order.

The application for bail is allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)

(Soumen Sen, J.)