

CRM 6990 of 2020

(Via Video Conference)

In re : An application under Section 438 of the Code of Criminal Procedure filed on 14.9.2020 in connection with Pukhuria P.S. Case No. 136 of 2017 dated 06.4.2017 under Sections 448/323/436/34 of the Indian Penal Code.

In the matter of : Mosaraf Hossain @ Titon & Ors.

..... Petitioners

Mr. Salman Hasan

.....For the Petitioners.

Mr. Anwar Hossain
Ms. Sreyashee Biswas.

.....For the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The charges against the petitioners pertain to rowdy behaviour and assault. The petitioners claim that the complaint is completely false and is a result of the local enmity between two groups of persons.

The matter has been adjourned to ascertain whether any proclamation has been issued. The State says that no proclamation has yet been issued.

Considering the nature of the incident and the conduct of these petitioners, their immediate arrest may not be warranted.

In the event of arrest, the petitioners will be released on furnishing security of Rs.10,000/- (Rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

CRM 6990 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)