

01.10.2020
Sl. No.35
akd
[ALLOWED]

C. R. M. 7191 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.09.2020 in connection with Habra Police Station Case No. 261 of 2020 dated 05.06.2020 under Section 306 of the Indian Penal Code.

And

In Re: ***Kishore Das & Anr.***

... .. Petitioners

Mr. Susnigdho Bhattacharyya .. Advocate

... .. for the petitioners

Mr. Subrata Mukherjee .. Advocate

Mr. Bhaskar Chakraborty .. Advocate

... .. for the de-facto complainant

Md. Anwar Hossain .. Advocate

Ms. Sreyashee Biswas .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case. It is further submitted that the principal accused is presently in custody.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime and as the principal accused is already in custody, we are of the opinion that custodial interrogation of the accused/petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) Kishore Das & (2) Babita Das**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Shampa Sarkar, J.)

(Joymalya Bagchi, J.)