

29.9.2020
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CRM 7269 of 2020
with
I A 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 Gaighata P.S. Case No. 503 of 2020 dated 04.9.2020 under Sections 306 and 34 of the Indian Penal Code.

And

In the matter of: **Samir @ Bapi Hazra**

....Petitioner.

Mr. Mrinal Kanti Mukherjee

...for the Petitioner.

Ms. Sukanya Bhattacharyya

Mr. Santanu Chatterjee

...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.

Learned advocate for the petitioner submits that the petitioner happens to be the landlord of the principal accused, and as such he has been falsely implicated in this case.

Learned advocate for the State opposes the prayer and draws the attention of this Court to the statements available in the case diary and the role of the present petitioner.

We have perused the material on record as also the case diary and on perusal of the same, we are of the opinion that although a

case has been made out but the custodial detention of the petitioner is unwarranted.

Accordingly, the prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of equal amount, one of whom must be local, to the satisfaction of the of the arresting officer. In addition, the petitioner will abide by the conditions laid down in Section 438(2) of the Code.

CRM 7269 of 2020 CRAN 1 of 2020 are disposed of.

(Subrata Talukdar, J.)

(Tirthankar Ghosh, J.)