

29.09.2020  
Item no. 23  
Ct.12  
**FB/G. S. Das**

**C.R.M. No.7282 of 2020**  
**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 Neturia Police Station Case No. 13 of 2020 dated 15.02.2020 under Sections 379/411/413/414/120B of the Indian Penal Code, 1860 now pending as G.R. Case No. 66 of 2020.

And

In the matter of:-

Bapi Bauri

... Petitioner

Mr. Pawan Kumar Gupta

Mr. Saugata Mitra

Ms. Ankita Dey

.. for the petitioner

Mr. Parthaprati Das

..for the State

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

Learned Advocate for the petitioner submits that the petitioner was at some point of time driving the vehicle being WB 67A-1080 which is a truck.

According to the Learned Advocate the owner of the truck has been granted anticipatory bail by a Coordinate Bench of this Court in CRM 5617 of 2020.

Learned Advocate for the State opposes the prayer for bail and submits that from the memorandum of evidence the petitioner's

name has been transpired from the statement of the owner of the truck.

We have considered the memorandum of evidence and the fact that the owner of the truck happens to be an accused in the instant case. As such the only material available against the petitioner is the statement of the co-accused.

Hence, considering the materials appearing against the present petitioner, we are inclined to extend the privilege of anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with one surety, to the satisfaction of arresting officer and on condition that petitioner shall not tamper with the evidence or intimidate the witnesses. Further, the petitioner shall make himself available as and when required by the investigating officer of that case.

The aforesaid order of anticipatory bail shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

With these observations, CRM 7282 of 2020 and CRAN 1 of 2020 is disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**

**(Subrata Talukdar, J.)**