

09.10.2020
DL No.38
Court No.23
am

CRM 7275 of 2020
CRAN 1 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** P.S. Case No.**392/2020** dated **12.09.2020** under Sections **448/376/511** of the Indian Penal Code.

And

In the matter of: **Masir Sk. @ Masiruddin Sk.**

....Petitioner.

Mr. Somnath Adhikary

...for the Petitioner.

Mr. Partha Pratim Das,
Ms. Sonali 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.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

The learned Counsel appearing on behalf of the petitioner submits that he has been falsely implicated in the instant case.

The learned Counsel appearing on behalf of the State however opposes the prayer for anticipatory bail of the petitioner.

Having considered the materials on record available in the case diary as well as the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and extent of complicity and involvement of the petitioner in the commission of the offence, we feel that the custodial interrogation of the

petitioner is not necessary. In the event of arrest the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioners shall meet the I.O. of the case once a week and shall co-operate with the investigation and shall not enter the jurisdiction of Kandi Police Station except for the purpose of meeting the I.O. and/or attending the court.

The application for anticipatory bail being CRM 7275 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)