

29.9.2020
ap
18

CRM 7277 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 Kandi P.S. Case No. 392 of 2020 dated 12.9.2020 under Sections 448/376/511 of the Indian Penal Code.

And

In the matter of: **Sahabuddin Molla & Ors.**

....Petitioners.

Mr. Soumajit Chatterjee

...for the Petitioners.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Mr. Gazi Faruque Hossain

... For the defacto-complainant.

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 petitioners submits that the petitioners are innocent of the charges levelled against them and instant case was initiated on the basis of previous grudge existing between the parties. Learned advocate further submits that going by the nature of allegation, custodial detention of the petitioners may not be warranted. Mr. Gazi, learned advocate for the defacto-complainant is present.

Mr. Ray Chowdhury, learned advocate appears on behalf of State and produces the case diary.

We have perused the injury report along with other materials appearing in 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 may not be warranted in the circumstances.

Accordingly, the prayer for anticipatory bail is allowed.

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

CRM 7277 of 2020 and CRAN 1 of 2020 are disposed of.

(Subrata Talukdar, J.)

(Tirthankar Ghosh, J.)