

01.10.2020.

47.

as

(Allowed).

C.R.M. 7303 of 2020

With

C.R.A.N.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 Murutia P.S. Case No.207 of 2020 dated 05.09.2020 under Sections 341/323/326/307/34 of the Indian Penal Court.

In the matter of : Biswajit Biswas @ Pathik & Ors.
... Petitioners.

Ms. Karabi Roy.

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioners undertake to affirm and stamp the petition/application as per Rules within a 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.

Learned Advocate of the petitioners submits that the petitioner no.1 has been arrested.

Hence, the application for anticipatory bail in respect of petitioner no.1 is dismissed as infructuous.

It is submitted on behalf of the petitioner Nos. 2 to 4 that the instant case is in retaliation to an earlier criminal case lodged by petitioner no.4 against the de-facto complainant and others.

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

Having considered the materials on record and keeping in mind the facts and circumstances of the case in the light of the submission that the instant case is a counter blast to an earlier criminal case lodged by petitioner no.4 against the de-facto complainant and others, we are of the opinion that custodial interrogation of the petitioner Nos.2 to 4 for progress of investigation is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner Nos.2 to 4 shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Shampa Sarkar,J.)

(Joymalya Bagchi, J.)

