

08.10.2020
SL No.10
Court No.23
(am)
(Allowed)

CRM 7329 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Swarupnagar** P.S. Case No.**431/2020** dated **05.09.2020** under Sections **448/341/325/323/307/354B/408/34** of the Indian Penal Code.

And

In the matter of: **Sarin Akhtar @ Sarbin Sarkar @ Sabrin Sarkar & Ors.**

....Petitioners.

Mr. Moyukh Mukherjee,
Mr. Koustav Lal Mukherjee,
Mr. Rameez Alam,
Mr. Abhijit Singh,

...for the Petitioners.

Mr. Subrata Roy

...for the State.

The investigating officer of the concerned police station is present in Court.

The investigating officer through his counsel has clarified as to why the case diary could not be forwarded to the learned counsel.

We are satisfied with the explanation offered by the investigating officer.

Having considered the materials on record and the nature of injury as appeared from the injury report we are inclined to hold that the petitioners are not required for any custodial interrogation. Accordingly, we allow the application for anticipatory bail of the petitioners subject to the condition stated hereinbelow:-

In the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C and on further condition that the petitioner no. 2 shall meet the investigating officer as and when required.

In the event the petitioners fail to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this court.

The application for anticipatory bail being CRM 7329 of 2020 is allowed.

Leave is given to the petitioners to correct the cause title.

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

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)