

17.11.2020

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22.

CRM 7483 of 2020
with
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 Mothabari P.S. Case No.380 of 2019 dated 31.08.2019 under Sections 447/323/436/427/506/34 of the Indian Penal Code.

And

In the matter of: **Alamullah @ Md Enayet Ali and ors.**

....Petitioners.

Mr. Arup Kumar Bhowmick

...for the Petitioners.

Ms. Sukanya Bhattacharyya
Md. Kutubuddin

...for the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioners say that the petitioners were not involved in the commission of the offence any more than the 14 other co-accused persons who have been granted bail by the lower court.

The State says that though no serious injury was suffered by any person, there is no doubt that the petitioners trespassed into another's property and set some of the articles on fire.

Considering the nature of the incident and the extent of the injuries, the custodial interrogation of the petitioners may not be necessary. However, the petitioners will cooperate with the

investigation and report to the investigating officer as and when called, till the investigation is completed.

In the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioners will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7483 of 2020 along with the interim application therein stand disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)