

09.10.2020
SL No.55
Court No.23
(gc)
(Allowed)

CRM 7535 of 2020
With
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 **Beldanga** P.S. Case No.**220/2020** dated **28.05.2020** under Sections **342/325/326/307/34** of the Indian Penal Code.

And

In the matter of: **Seikh Ansar @ Ansar Sk. & Anr.**

....Petitioners.

Mr. Somnath Adhikary

...for the Petitioners.

Mr. Narayan Prasad Agarwala,
Ms. Subhasree Patel

...for the State.

The petitioners undertake 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 for the petitioners submits that there is a long standing dispute between the brother of the informant and the accused persons and out of such enmity this false complaint has been made.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail. The learned Counsel, however, in all fairness produced the injury report and admits that there is no grievous injury noticeable and appearing from the injury report.

Having considered the materials on record and the extent of complicity of the petitioners in the commission of offence, we are inclined to allow the prayer for anticipatory bail to the petitioners.

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 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973 and on further condition that the petitioners shall appear before the Court below on every date of hearing.

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

Accordingly, the application for anticipatory bail being CRM 7533 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.)