

16.10.2020
Item no. 20
Ct.11
FB/G. S. Das

C.R.M. No.7543 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 Balurghat Police Station Case No. 345 of 2020 dated 05.09.2020 under Sections 448/341/323/325/326/34 of the Indian Penal Code (corresponding G.R. Case No. 843 of 2020).

And

In the matter of:-

Mithun Mandal and Others

... Petitioners

Mr. Soumajit Chatterjee

.. for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

..for the State

The petitioner undertakes 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.

Learned Counsel for the petitioners submits that the petitioners have been falsely implicated in this case because of several litigation pending between the parties.

Learned Advocate, Mr. Bardhan, representing the State opposes the prayer for anticipatory bail.

Having considered the materials already collected in the C.D. and bearing in mind the submission in context with the allegation and particularly the Injury Report, which is not grievous in

nature, we are persuaded to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of Rs.5000/- each, to the satisfaction of the arresting officer/investigating officer and on condition that the petitioners shall not tamper with the evidence or intimidate the witnesses. Further, the petitioners shall make themselves available as and when required by the Investigating Officer/arresting officer of the case.

The aforesaid order of anticipatory bail shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

CRM 7543 of 2020 and CRAN 1 of 2020 are disposed of.

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

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to convenience with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)