

17.11.2020
Item No. 30
k.b./b.r.
allowed
Crt.11

C.R.M.7573 of 2020
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 Dantan P.S. Case No. 143 of 2020 date 21.06.2020 under Sections 147/148/149/325/326/307/353/427/506 of the Indian Penal Code, 1860 read with Section 9 of the Prevention of Damage to the Public Property Act and Section 3 of the Maintenance of Public Order Act.

And

In Re : Ashwini Patra @ Ashwini Kumar Patra
petitioner.

Mr. Soumya Basu Roychowdhury
.....for the petitioner.

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel
....for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioner submits that the petitioner is innocent of the charges and has been implicated on the malice of the police authority.

Mr. Agarwala, learned advocate for the State opposes the prayer for anticipatory bail and produces Case Diary thereby drawing the attention of this Court to the injury report.

We have perused the materials on record including the Case Diary and on appreciation of the same, we are of the opinion that custodial detention of the petitioner may be not warranted in the facts and circumstances of this case and as such prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, shall be released on bail upon furnishing a bond of Rs.10,000/- (Ten Thousand only), 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 and on further condition that the petitioner shall meet the Investigating Officer once in a week for a period of three months on an from 20.11.2020. In default, this order would become infructuous.

The application for anticipatory bail is, thus, allowed.

CRM 7573 of 2020 with CRAN 1 of 2020 stand thus disposed of.

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

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)