

08.10.2020
SL No.25
Court No.10
(sd)
(Allowed)

**CRM 7582 of 2020
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 Hingalganj P.S. Case No. **139/2020** dated **09.08.2020** under Sections **448/323/325/354/307/506/34** of the Indian Penal Code.

And

In the matter of: **Biswajit Sardar @ Biswajit Sarkar & Ors.**

....Petitioner.

Mr. K.K. Basu

Mr. Jannat ul Firdous

...for the Petitioners.

Mr. I. Ali

Ms. M. Roy

...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 appearing for the petitioners submits that out of enmity a false complaint has been lodged against the petitioners. The petitioners are in no way connected with the commission of alleged offence.

The learned counsel for the State opposes the prayer for bail of the petitioners.

Having considered the materials on record, the case diary and the injury report, which prima facie does not show any greivous injury, and the extent of complicity of the petitioner in

the commission of the alleged crime , we are of the opinion that the custodial interrogation of the petitioners is not necessary. Accordingly, we allow the anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on anticipatory 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 condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioners will meet the I.O of the case once in a week.

The application for anticipatory bail being CRM 7581 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.)