

SL-8
09-10-2020
sg
Court 23

C.R.M. 7638 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 Mekhliganj Police Station Case No. 81 of 2019 dated 23.03.2019 under sections 498A of the Penal Code.

Allowed

Apu Biswas @ Dakha Biswas
Versus
State of West Bengal

Mr. Ranadeb Sengupta, Adv.
Mr. Sachit Talukdar, Adv.

...for the petitioner.

Mr. Kallol Acharyee, Adv.
Mr. Tapan Bhattacharyee, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

CRAN 1 of 2020 is accordingly, disposed of.

Having considered the materials on record and the nature and extent of complicity of the petitioner in the alleged offence and also having regard to the fact that the petitioner has cooperated with the investigation and has responded to the notice issued under Section 41A of the Code of Criminal Procedure, we are inclined to allow the application for anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, 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 attend the court on every date of hearing.

In the event he fails to comply with the conditions as enshrined hereinabove, the trial court shall be at liberty to cancel his bail automatically without reference to this Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)