

15.10.2020

CRM 7779 of 2020

Court No. 12
Item No. 17
ss

(anti-bail allowed)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Jamuria Police Station Case No. 211 of 2020 dated 30.07.2020 under Sections 341/325/326/307/354B/379/34 of the Indian Penal Code.

and

In the matter of: **Kartick Bouri & ors.**

..... Petitioners

Mr. Anindya Bose, Advocate

Mr. Diptendu Mondal

.....for the Petitioner

Mr. Binay Kumar Panda, Advocate

Ms. Puspita Saha, Advocate

..... for the State

Petitioners undertake to affirm and stamp the petition/ application as per Rules within one month of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

The learned Advocate for the petitioners submits that the petitioners have been falsely implicated in connection with the instant case though there was a minor altercation between the neighbours over the water pipeline. The petitioners have also lodged a case against the complainant and the instant case is the counter-blast to the same.

The learned Advocate for the State opposes the prayer for anticipatory bail. He hands over the Case Diary which contains the report of the Doctor who attended the alleged victim.

We perused the statement recorded under Section 161 of the Code of Criminal Procedure. We find that some of the co-accused have already privileged with the anticipatory bail.

After hearing the respective submissions and the perusing the materials on record including the nature of injury as well as the statement of the persons recorded under Section 161 of the Code of

Criminal Procedure, we do not find any custodial interrogation of the petitioners is necessary.

The prayer for anticipatory bail is, thus, allowed.

Accordingly, we direct that 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 like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application being **CRM 7779 of 2020** accordingly **disposed of**.

(Shampa Sarkar, J.)

(Harish Tandon, J.)