

13.10.2020

CRM 7811 of 2020

Court No. 12
Item No. 16
snandy

(anti-bail allowed)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 30.09.2020 in connection with Kaliganj Police Station Case No. 357 of 2020 dated 05.08.2020 under Sections 448/324/325/354/34 of the Indian Penal Code.

And

In the matter of: **Babu Sk. & Ors.**

..... Petitioners

Mr. Asraf Mondal, Advocate

.....for the Petitioners

Mr. Bidyut Roy, Advocate

Ms. Rita Dutta, 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 of the petitioner submits that the petitioners are in no way connected with the alleged offence. The complaint has been filed out of vengeance.

The learned Advocate for the State opposes the prayer for bail.

Having considered the materials on record and the nature of the injury sustained by the victims and considering the extent and complicity of the petitioners in the commission of the alleged offence, we are inclined to grant the prayer for anticipatory bail to the petitioners.

Therefore, we are inclined to extend the privilege of the anticipatory bail under Section 438 of the Code of Criminal Procedure to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners, be released on bail upon furnishing a bond of Rs.5,000/- (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 on further condition that they will cooperate with the investigation and the petitioner nos. 1, 2 and 4 shall meet the Investigating Officer once in a week.

In the event, the petitioners fail to comply with the conditions as envisaged in this order, it is open to the trial Court to cancel the anticipatory bail without making any reference to this Court.

The application being **CRM 7811 of 2020** accordingly **disposed of**.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)