

19.11.2020.

Item No. 41

ap

**C.R.M. 7828 of 2020
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.10.2020 in connection with Berhampore Police Station Case No. 1463 of 2019 dated 25.11.2019 under Sections 341/325/326/307/34 of the Indian Penal Code.

And

In the matter of: Jahir Sk @ Zahirul Sekh. ...Petitioner

Mr. Anisur Rahman. ...For the petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.For the State

The petitioner undertakes to affirm and stamp the petition as per Rules within one week of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The petitioner says that a minor incident of violence has been blown out of proportions and an allegation of attempt to murder levelled.

The State produces the records and refers to the injury reports. The State also places the statement of one of the persons injured, who claimed that the petitioner herein was the principal assailant and charged at several people with a '*dan*'.

Though a '*dan*' would scarcely be taken out unless a person was intending to cause grievous injury to another, since the investigation has been completed and charge-sheet filed, the custodial interrogation of the petitioner may not be

necessary. However, the petitioner must not attempt to contact any of the persons who were injured till the trial is concluded.

The petitioner must attend every date fixed for trial. In the event of any unexplained absence, the trial court will be entitled to cancel the bail without reference to this Court.

Subject to the above, in the event of arrest, the petitioner will be enlarged on bail upon furnishing security 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. The petitioner should abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7828 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)