

17.11.2020
SL No.37
Court No.12
(gc)
(antibail allowed)

CRM 7836 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalpaiguri Kotwali** P.S. Case No.**519/2020** dated **19.08.2020** under Sections **363/365/34** of the Indian Penal Code.

And

In the matter of: **Sudhan Roy & Ors.**

....Petitioners.

Mr. Anindya Ghosh,
Mr. Sudip Guha

...for the Petitioners.

Mr. Abhijit Sarkar,
Mr. Sagnik Sankar Sikdar,
Mr. Arun Sarkar

...for the State.

The petitioners undertake to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned Counsel for the petitioners submits that the petitioners are innocents and they have been falsely implicated in this case.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail. It is submitted that the victim in her statement under Section 164 of the Cr.P.C. has implicated the petitioner.

Having considered the materials on record and the extent of complicity of the petitioners in the commission of offence, we are inclined to grant anticipatory bail to the petitioners for a period of four weeks from date subject to each of the petitioners 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 and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973.

The petitioners shall not enter the jurisdiction of Jalpaiguri Kotwali Police Station except for the purpose of meeting the I.O and for attending the Court.

This order is restricted for a period of four weeks only.

The petitioners shall in the meantime approach the trial court for regular bail.

Accordingly, the application for anticipatory bail being CRM 7836 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.)