

17.11.2020

Item No.35

Ct.No.11

dc.

Allowed

C.R.M. 7841 of 2020
(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Narkeldanga P.S. Case No. 205 of 2020 dated 05.08.2020 under Sections 153A/295A/188/120B of the Indian Penal Code and Section 51(b) of the Disaster Management Act, 2005.

And

In the matter of : Sanjib Singh @ Bapi Rana ... Petitioner.

Mr. S. K. Das,
Mr. Sujan Chatterjee ... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The learned advocate for the petitioner submits that the petitioner is innocent of the charges and has been falsely implicated in the case. He further submits that similarly placed accused has been extended the benefit of anticipatory bail in CRM 7499 of 2020 by a co-ordinate Bench of this Court.

Mr. Banerjee, learned advocate appearing for the State opposes the prayer for anticipatory bail, but is unable to distinguish the locus standi of the present petitioner with that of the accused who has been extended the privilege of anticipatory bail.

We have considered the materials on record and on appreciation of the same, we are of the opinion that the present case do not warrant custodial detention of the petitioner. As such, the anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also 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 meet with the Investigating Officer once in a week for a period of two months on and from 20.11.2020.

With the aforesaid observation, CRM 7841 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)