

Court No. 16

CRM 7880 of 2020

24.11.2020

(DL 29)

(S. Banerjee)

Allowed

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 251 of 2020 dated 29.05.2020 under Sections 448/325/326/308/302/34 of the Indian Penal Code.

And

In the matter of: Md. Bablu Hossain & Ors.

...petitioners

Mr. Sagar Saha, Ld. Advocate

... for the petitioners

Mr. Swapan Kumar Banerjee, Ld. Advocate

Ms. Purnima Ghosh, Ld. Advocate

... for the State

The petitioners undertake to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petition is dismissed as against the first petitioner since he has already been arrested.

As far as the other petitioners are concerned, they claim that they had no role to play and, in any event, there was a fight between two groups. The State says that there was a case of death. Further, the petitioners are alleged to have attacked the house and there are witness statements to such effect. Considering that a large number of persons were involved, the petitioners cannot be arrested without any specific material against them.

Considering the nature of the allegations, the petitioners are entitled to bail.

In the event of arrest, the petitioners will be enlarged on bail upon furnishing security of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of like amount each, one

of whom must be local, to the satisfaction of the arresting officer. The petitioners will abide by the conditions laid down in Section 438(2) of the Code.

CRM 7880 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)