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20-10-2020
Court 12

C.R.M. 8086 of 2020
(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hirbandh Police Station Case No. 26 of 2020 dated 19.08.2020 under Sections 498A/306/34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act.

Allowed

Laltu Roy & Anr.
Versus
State of West Bengal

Mr. Soumik Ganguli, Adv. ...for the petitioners.
Mr. Saniket Mitra, Adv. ...for the State.

The petitioners undertake to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Having considered the materials available with the case dairy and on considering the nature and extent of complicity of the petitioners in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioners is not necessary and the petitioners may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall cooperate with the investigation and the petitioner no. 1 shall meet the investigating officer once in a week until further orders.

In the event they fail to comply with the conditions as enshrined

hereinabove, the trial court shall be at liberty to cancel their bail automatically without reference to this Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Aniruddha Roy, J.)

(Soumen Sen, J.)