

16.12.2020
Court No.28
SL No.115
AP

CRM 8264 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dinhata** P.S. Case No.**125 of 2020** dated **19.04.2020** under Section **392** of the Indian Penal Code with adding Section **395** of the Indian Penal Code along with Section **25(1-A)/35** of the Arms Act with adding Section **412** of the Indian Penal Code.

And

In the matter of: **Arjun Mandal**

....Petitioner.

Ms. Suman Sehanabis (Mandal)

...for the Petitioner.

Mr. Nilay Chakraborty,
Ms. Namrata Das

...for the State.

It is submitted on behalf of the petitioner that no incriminating materials were recovered from the possession of the petitioner and his complicity has transpired from the statement of co-accused.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner has criminal antecedents.

We have considered the materials on record. Complicity of the petitioner in the alleged crime has transpired from the statement of co-accused before a police officer and no incriminating articles were recovered from his custody or a place within his control. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner subject to strict conditions.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a 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 while on bail shall remain within the jurisdiction of Dinhata Police Station until further

orders except for the purposes of investigation and/or for attending the court proceedings and shall meet the officer-in-charge of Dinhata Police Station once in a week until further orders.

The application for anticipatory bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)