

21.10.2020

BP/SM
SL.30

CRM 8268 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Santipur Police Station Case No. 242/2020 dated 05.06.2020 under Sections 341/323/325/326/506/34 of the Indian Penal Code.

In the matter of : Rahul Adhikary & Ors.....petitioners

Mr. Subir Debnath
..for the petitioners.

Mrs. Zareen N. Khan
Mr. Mirza Firoj Ahmed Begg
..for the State.

The petitioners undertake to appropriately stamp the petition 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.

Learned advocate for the petitioners submits that the petitioners are innocent in nature. They have been falsely implicated in the present case. Therefore, the petitioners should be granted anticipatory bail.

Learned advocate for the State opposes the prayer for anticipatory bail and produces the case diary.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the case diary and also the injury report, in our considered view, the petitioners should be granted anticipatory bail.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner no. 1 (Rahul Adhikary), the petitioner no. 2 (Rahit Adhikary) and the petitioner no.3 (Jayanta Sarkar) shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 8268 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)