

CRM 8562 of 2020

Court No. 16

(via Video
Conference)

25.11.2020

(DL 25)

(S. Banerjee)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 441 of 2020 dated 07.10.2020 under Sections 341/323/326/354/427/34 of the Indian Penal Code.

And

Allowed

In the matter of: Tonu Sarkar @ Tanu Sarkar & Ors.

... petitioners

Mr. Amanul Islam, Ld. Advocate
Mr. Sourav Mukherjee, Ld. Advocate

... for the petitioners

Mr. Bidyut Kumar Roy, Ld. Advocate
Ms. Rita Datta, Ld. Advocate

... for the State

The petitioner undertakes 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 petitioners claim that following a dispute with a neighbouring family, the disagreement led to some violence; but no serious injury was suffered on either side for the matter to be taken much note of.

The State refers to the injury reports. It appears that blunt weapons might have been used to injure the victims.

Since it is evident that there may not have been any intention on the part of the petitioners to kill any person, the petitioners are entitled to anticipatory bail.

In the event of arrest the petitioners will be enlarged on bail on furnishing a 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 also abide by the conditions stipulated in Section 438(2) of the Code.

CRM 8562 of 2020 is allowed.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)