

05.11.2020

Item No. 40

k.b./b.r.

allowed

Crt.08

VB

C.R.M. 8803 of 2020
(via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No. 41 of 2020 dated 31.01.2020 under Sections 448/323/325/307/354/427/506/34 of the Indian Penal Code (corresponding GR Case 86 of 2020.

And

In Re : Suman Das & Ors. petitioners

Mr. Kaushik Chowdhury

Mr. Busra Khatoon

.....for the petitioners.

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

....for the State

Petitioners undertake to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioners submits that the petitioners are innocent of the charges and they have been falsely implicated in the instant case. Further there are allegations under Section 307 of the Code of Criminal Procedure and there are no injuries which have been inflicted.

Learned advocate for the State submits the Case Diary and refers to the statement of the victim and is unable to draw the attention of this court to the injury report.

We have taken into account the materials in the Case Diary as well as the statement of the witnesses. On appreciation of the same, we are of the opinion that the petitioners have been able to make out a case for anticipatory bail and the prayer for anticipatory bail is allowed.

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, 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 with the further condition that the petitioners shall meet the Investigating Officer of the concerned police station once a week until further orders.

The application for anticipatory bail stands thus allowed.

The application CRM 8803 of 2020, stands disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Ashis Kumar Chakraborty, J.)