

CRM 8808 of 2020
(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1908 in connection with Bhangore Police Station Case No.160 of 2020 dated 31.05.2020 under Sections 326/307/114/120B of Indian Penal Code and Sections 3/ 4 of Explosives Substance Act.

And

In the matter of : Abdul Jalil Molla @ Jalil Molla & Anr.
.... Petitioners

Mr. Bikash Ranjan Bhattacharjee, Sr. Adv.
Mr. Uday Sankar Chattopadhyay, Adv.
Mr. Santanu Maji, Adv.
Mr. Pronoy Basak, Adv.
.... For the Petitioners

Mr. Madhusudan Sur, Adv.
Mr. Dipankar Paramanick, Adv.
.... For State

Mr. A. Chakraborty, Adv.
.... For de facto complainant

The petitioners undertake 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 conferencing on the basis of such undertaking.

The petitioners claim that there was a clash between the two groups of the same political party and the petitioners are being pursued despite there being no material against the petitioners.

The State says that bombs were hurled and several persons received serious injuries. The State refers to the witness statements. A shopkeeper claimed that six persons were initially involved, including these two petitioners. However, it appears that ten persons have already been arrested against 28 being pursued by the State. It

is also evident that the investigation is complete and the charge-sheet has been filed.

Since the investigation has already been completed, the immediate detention of the petitioners may not be necessary. In the event the petitioners are convicted, they will have to suffer their fate.

Accordingly, in the event of arrest, the petitioners will be enlarged 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. The petitioners will abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. For a period of three months from date the petitioners should not enter the jurisdiction of Bhangore Police Station. However, the petitioners will indicate the address where they intend to stay before they obtain bail.

CRM 8808 of 2020 is disposed of.

Authenticated website copies of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Aniruddha Roy, J.)

(Sanjib Banerjee, J.)

