

20.11.2020
Sl. No.61
akd
[ALLOWED]

C. R. M. 9117 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 05.11.2020 in connection with Alipurduar Police Station Case No. 45 of 2020 dated 30.01.2020 under Sections 376/354/326/109 of the Indian Penal Code.

And

In Re: **Hiron Barman & Ors.**

... .. Petitioners

Mr. Arijit Ghosh .. Advocate

... .. for the petitioners

Mr. Nilay Chakraborty .. Advocate

Mr. Biswarup Roy .. Advocate

... .. for the State

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

Having considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime and as the principal accused has already been enlarged on regular bail, we are of the opinion that custodial interrogation of the accused/petitioners is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) Hiron Barman, (2) Bijoy Barman @ Bijay Barman & (3) Sushil Barman**, 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)