

01.12.2020
SL No.43
pk

CRM 9474 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 440 of 2020 dated 04.09.2020 under Sections 323/325/379/354/34 of the Indian Penal Code.

And

In the matter of: **Kader Mondal and others**

....Petitioners.

Mr. Amanul Islam

...for the Petitioners.

Mr. Aniket Mitra

...for the State.

The advocate-on-record for the petitioners undertakes to affirm and properly 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 counsel appearing on behalf of the petitioners submits that the petitioners are no way connected with the present case. They are innocent persons. They have been falsely implicated in the present case. Therefore, the petitioners should be released on bail.

Counsel for the State opposes the prayer for anticipatory bail. He produces the case diary and draws the Court's attention to the injury report. It is found from the injury report that injury is simple in nature.

Considering the materials against the petitioners available on record and the statement of the victim girl as also the injury report, we are inclined to grant anticipatory bail to the petitioners.

In the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

The application for bail being CRM 9474 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Samapti Chatterjee, J.)

(Kausik Chanda, J.)