

02.12.2020
SL No.14
Court No.8
(gc)
(antibail allowed)

CRM 9480 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** P.S. Case No.**96/2019** dated **21.02.2019** under Sections **341/307/34** of the Indian Penal Code.

And

In the matter of: **Khalilur Rahaman @ Md. Khalilur Rahaman & Ors.**

....Petitioners.

Mr. Arup Sarkar,

...for the Petitioners.

Ms. Faria Hossain,
Ms. Sonali Das,

...for the State.

The 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 conference.

The learned Counsel for the petitioners submits that the petitioners have been falsely implicated in this case.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Having considered the materials made available along with the Case Diary and the statement of the victim and considering the nature and extent of complicity of the petitioners in the commission of alleged offence, we are of the opinion that the custodial interrogation of the petitioners is not necessary. We have also taken into consideration that four other co-accused have been granted bail by the learned trial court. Accordingly, 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/- (rupees ten thousand) each, together 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., 1973. The petitioners shall not enter the jurisdiction of the concerned Police Station except for meeting the Investigating Officer and/or attending the Court. It is also directed that the petitioners shall meet the Investigating Officer of the case once a week until further order.

Accordingly, the application for anticipatory bail being CRM 9480 of 2020 is allowed.

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

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)