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CRM 9547 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rampurhat P.S. Case No.321 of 2019 dated 11.10.2019 under Sections 323/324/325/307/506/34 of the Indian Penal Code.

And

In the matter of: Apurba Mal & Ors.

....Petitioners.

Mr. Arnab Saha
Mr. Pawan Kr. Gupta

...for the Petitioners.

Mr. Sukanya Bhattacharya
Md. Kutubuddin

...for the State.

Mr. A. Bannerjee

...for the de facto complainant.

It is submitted on behalf of the petitioners that the incident occurred in course of a sudden altercation. Intention to cause injury may be assessed in the light of the aforesaid submission. That apart, the parties have settled their disputes amicably.

Under such circumstances, we are of the opinion that custodial interrogation may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners 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.

This application for anticipatory bail is thus allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

