

02.12.2020

BP/BR  
Sl.26

CRM 9661 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Tehatta Police Station Case No. 120 of 2020 dated 13.03.2020 under Sections 498A/307/326/34 of the Indian Penal Code.

In the matter of : Sadananda Shikder.....petitioner

Mr. Atis Kumar Biswas  
Mr. Amit Singh  
..for the petitioner.

Ms. Faria Hossain  
Ms. Baisali Basu  
..for the State.

The petitioner undertakes to appropriately 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.

The father of the petitioner is 70 years old. The victim father was beaten by his son and the

complainant.

It is submitted by the learned advocate for the petitioner that the petitioner is innocent one. It is further contended that other family members against whom the lady lodged complaint all obtained anticipatory bail. Therefore, the petitioner should be enlarged on anticipatory bail. He draws the attention of the court to the order passed in CRM 5087 of 2020 on 31<sup>st</sup> July, 2020 where the co-ordinate bench allowed the anticipatory bail.

Learned advocate for the State opposes the prayer for anticipatory bail and produces the case diary and also the injury report.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the case diary and also the injury report, in our considered view, the custodial interrogation of the petitioner is not required.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, to the satisfaction of the ACJM, Tehatta of the case.

The aforesaid order shall be subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 9661 of 2020 is disposed of.

**(Samapti Chatterjee, J. )**

**(Kausik Chanda, J.)**