

18.12.2020
Sl. No.126
akd
[ALLOWED]

C. R. M. 9760 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.11.2020 in connection with Domjur Police Station Case No.627 of 2020 dated 19.11.2020 under Sections 302/201 of the Indian Penal Code.

And

In Re: ***Uma Parakh & Anr.***

... .. Petitioners

Mr. Ayan Bhattacharjee .. Advocate
Mr. Pawan Kumar Gupta .. Advocate
Mr. Birendra Nath Joshi .. Advocate
Ms. Sofia Nesar .. Advocate
Mr. Santanu Sett .. Advocate

... .. for the petitioners

Mr. Neguive Ahmed .. Ld. Addl. Public Prosecutor
Md. Anwar Hossain .. Advocate
Mrs. Ratna Ghosh .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that they were not present at the place of occurrence. It is further submitted that the incident occurred in the factory where the victim was beaten up by other employees.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Apart from the statement of co-accused implicating the petitioners, there are no independent witnesses supporting the participation of the petitioners in the alleged crime. No motive of crime is also forthcoming. Under such circumstances, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) Uma Parakh & (2) Priyank Parakh**, 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 and on further condition that the petitioners shall meet the Investigating Officer once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)