

07.12.2020
SI. No.60
akd
[ALLOWED]

C. R. M. 9837 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.10.2020 in connection with Dhantala Police Station Case No. 05 of 2020 dated 04.01.2020 under Sections 147/148/149/186/188/353/427/435/436 of the Indian Penal Code.

And

In Re: ***Laxmi Narayan Biswas @ Puye Biswas***

... .. Petitioner

Ms. Minoti Gomes .. Advocate

Mr. Partha Sarathi Das .. Advocate

... .. for the petitioner

Mr. Binay Panda .. Advocate

Mrs. Puspita Saha .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he was not present at the place of occurrence. It is further submitted that the incident occurred as an emotional outburst due to the fact that a minor had been run over by a vehicle driven by a relation of the victim's family.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the house of the victim was razed and burnt.

We have considered the materials on record. Apart from the alibi taken by the petitioner, the allegations levelled against him are general and omnibus. No one got injured in the course of the incident. In view of the aforesaid facts, we are of the opinion that custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Laxmi Narayan Biswas @ Puye Biswas***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction

of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)