

07.12.2020
Court No.28
SL No.92
AP

CRM 9905 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Panchla** P.S. Case No.**292 of 2020** dated **23.11.2020** under Sections **448/341/323/326/307/354/379/427/506/34** of the Indian Penal Code.

And

In the matter of: **Najibul Dewan & Ors.**

....Petitioners.

Mrs. Juin Dutta Chakraborty

...for the Petitioners.

Mr. Imran Ali,

Mr. Mirza Firoj Ahmed Begg

...for the State.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case due to political rivalry.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioners assaulted the victim who was hospitalized.

We have considered the materials on record including the medical paper. Although the victim was hospitalized for couple of days, medical papers do not disclose any grave injury on the victim. In view of the aforesaid facts, false implication of the petitioners cannot wholly be ruled out due to pre-existing enmity between the parties. Accordingly, we are inclined to grant anticipatory bail to the petitioners.

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.

The application for anticipatory bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)