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CRM 10137 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Habibpur P.S. Case No.330 of 2018 dated 07.09.2018 under Sections 379/411/413/414/34 of the Indian Penal Code.

And

In the matter of: Bishnu Mondal & Ors.

....Petitioners.

Mr. A. Karmakar

...for the Petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

...for the State.

It is submitted on behalf of the petitioners have been implicated on the statement of a co-accused.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioners had absconded for a long time.

Though the conduct of the petitioners are not appreciable, in view of the extent of complicity of the petitioners in the alleged crime which has transpired from the statement of a co-accused before police officer which is inadmissible in evidence, we are inclined to allow the prayer for 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, one of whom must be local, 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.

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.)