

14/12/2020
Item No.138 DL
S.DE/AD
(Allowed)

C.R.M. 10292 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Barjora P.S. Case No.10 dated 16.01.2020 under Sections 341/323/325/307/379/427/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In the matter of : Asgar Sekh & Others.

...Petitioners.

Mr. Amajit De ...for the Petitioners.

Mr. Binay Panda
Mr. Subham Bhakat ...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 counsel appearing for the State opposes the prayer for anticipatory bail and submits that the victim suffered fracture injury.

The allegations are in general in nature and omnibus. False implication due to existing political rivalry cannot be ruled out and the victim had not been hospitalized.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall 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 were not entered the jurisdiction of the Barjora Police Station except for the purpose of investigation, provide the address to the Officer-in-Charge of the concerned Police Station and meet with him once in a week.

The application for anticipatory bail is thus disposed of.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)