

15.12.2020
Sl. No.127
akd
[ALLOWED]

C. R. M. 10330 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.12.2020 in connection with Tehatta Police Station Case No.501 of 2020 dated 17.11.2020 under Sections 448/323/325/307/506/34 of the Indian Penal Code.

And

In Re: ***Abhijit Mondal @ Nimai & Anr.***

... .. Petitioners

Mr. Asraf Mandal .. Advocate

... .. for the petitioners

Mr. Arijit Ganguly .. Advocate

Mr. Sanjib Kumar Dan .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that there was a free fight between the parties.

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

Allegation of assault may be assessed in the light of the aforesaid submission made on behalf of the petitioner. 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) Abhijit Mondal @ Nimai & (2) Amodi Mondal***, 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, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

