

16.12.2020
tkm
sl no. 160

**C.R.M. 10414 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bhagwanpur P.S case no. 165 of 2020 dated 15.7.2020 under section 341/323/326/325/307/427/379/506/34 of the Indian Penal Code
And

Allowed

In Re : Biswaranajan Bag & Ors. petitioners

Mr. N Ahmed

..... for the petitioners

Mr. S S Imam

Mr. S Kundu

..... for the State

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

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the statement of the injured witness. There are materials connecting the petitioner nos. 1, 3, 4, 7, 12, 13 and 14 in the alleged offence.

Hence, we are not inclined to grant anticipatory bail to them.

The injured stated that the petitioners had come in a body and assaulted him. Victims have been hospitalized with severe injuries. Although allegations are grave, possibility of false implication of womenfolk in the family due to prior enmity cannot be wholly ruled out. No specific overt act has been attributed to the said female members of the family.

Accordingly, we are inclined to grant anticipatory bail to petitioner nos. 2, 5, 6, 8, 9, 10 and 11.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2, 5, 6, 8, 9, 10 and 11 shall be released on bail

upon furnishing a bond of Rs. 10,000/- each 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 being CRM 10414 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)