

23.12.2020
Sl. No.101
akd
[ALLOWED]

C. R. M. 10600 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.12.2020 in connection with Bantra Police Station Case No. 226 of 2020 dated 12.12.2020 under Sections 341/323/354B/509/506/34 of the Indian Penal Code.

And

In Re: **Ashoke Pal**

... .. Petitioner

Mr. Pawan Kr. Gupta .. Advocate

Ms. Sofia Nesar .. Advocate

Mr. Santanu Sett .. Advocate

... .. for the petitioner

Mr. Soumya Basu Roy Chowdhury .. Advocate

... .. for the de-facto complainant

Mr. Saryati Datta .. Advocate

... .. for the State

Leave is granted to the learned advocate-on-record for the petitioner to correct the cause title of the application and amend the same in course of this day.

It is submitted on behalf of the petitioner that there is a civil dispute between the parties.

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

Allegation of physical assault may be assessed in the light of the aforesaid submission relating to pending civil dispute. Under such circumstances, we are of the opinion that custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Ashoke Pal**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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.)