

31.12.2020
Item no. 14
Ct.8
KAUSHIK/CHC
Allowed

C.R.M. No.11297 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Purba Burdwan Women Police Station Case No.240 of 2020 dated 05.11.2020 under Sections 498A/406/34 of the Indian Penal Code and Sections 3/ 4 D.P. Act.

And

In the matter of:-

Kausik Shaw & ors.

... Petitioners

Mr. Prodip Paul

.. for the petitioners

Mr. Saibal Bapuli, Ld. A.P.P.

Mr. Arani Bhattacharyya

..for the State

Liberty is given to the learned advocate for the petitioner to correct the cause title, amending the name of the police station, during the course of the day.

It is submitted by counsel that the petitioners have already complied with a notice under Section 41A of the Criminal Procedure Code.

Learned counsel for the petitioners submits that, in view of such compliance, there is no necessity for immediate arrest of the petitioners for the purpose of the investigation.

It appears from the materials on record that the petitioners have made out a sufficient case for being granted anticipatory bail

on the usual conditions. Accordingly, C.R.M.11297 of 2020 is allowed, granting the petitioners anticipatory bail on the conditions enumerated below:-

- i) The petitioners shall make themselves available for interrogation by any police officer in connection with the offences in question;
- ii) The petitioners shall not make any inducement, promise or threat to any person being acquainted with the facts relating to the alleged offences in order to prevent such person from disclosing such facts before the concerned police officer and/or the Court;
- iii) The petitioners shall not leave the jurisdiction of the concerned Police Station i.e. Purba Burdwan Women Police Station without leave of a competent Court.

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. In addition, the petitioners shall attend the trial with regard to the complaint on every date fixed. In the event of default on the part of the petitioners in complying with any of the above conditions, the trial court shall be at liberty to direct arrest of the petitioners without further reference to this Court.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)

(Saugata Bhattacharyya, J.)