

0.02.2020
SI No.70
b.das
P.Allowed

CRM 1384 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 06.02.20 in connection with Mathabhanga P.S. Case No.422 of 2019 dated 09.10.2019 under Sections 447/326/307/34 of the Indian Penal Code.

And

In Re: **Prasenjit Barman & Ors.**

... .. Petitioners.

Mr. Pronojit Roy

... for the Petitioners.

Mr. Soumik Ganguly

... .. for the State.

Having considered the materials on record in prima facie disclosing the involvement of the petitioner No.1 in causing grave injury and loss of eyesight, we are of the opinion that in view of the grievous injury caused by him, this is not a fit case to allow the prayer for pre-arrest bail to him. His prayer for pre-arrest bail is rejected.

However, keeping in mind the extent of complicity of the petitioner Nos. 2 and 3 herein in the alleged crime, we are inclined to grant the anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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 and on condition that the petitioners shall appear before the investigating officer and

hand over their passports, if any, within a fortnight from date. In the event they do not have passports, they shall personally appear before the investigating officer and furnish affidavits to that effect within the time frame mentioned hereinabove.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)