

3.02.2020
SI No.62
b.das
Allowed

CRM 1595 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 11.02.2020 in connection with Sahebganj P.S. Case No.10 of 2020 dated 08.01.2020 under Sections 147/148/149/186/188/332/333/307 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act.

And

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

... .. Petitioner.

Mr. Sabbir Ahmed
Mr. H.S. Poddar

... for the Petitioner.

Mr. Rudradipta Nandy

... .. 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 and submits that the petitioners obstructed police personnel in discharging their official duty.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime and as no specific overt act has been attributed to the petitioners and since medical papers do not disclose marks of injury on the police personnel, we are inclined to grant anticipatory bail to the petitioners.

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, 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 passport, they shall personally appear before the investigating officer and furnish affidavits to that effect within the time frame mentioned hereinabove. In addition they shall meet the Investigating Officer once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)