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17.08.2020
Ct No. 11
Sc / P.M.

CRM 5574 of 2020
with
CRAN 3928 of 2020
(Via Video Conference)

In re : An application under Section 438 of the Code of Criminal Procedure filed on 04.08.2020 in connection with Dhupguri P.S. Case No. 259 of 2020 dated 26.07.2020 under Sections 448/376/511/506/34 of the Indian Penal Code.

In the matter of : Prasenjit Roy & Ors.

..... Petitioners

Mr. Jaydeep Kanta Bhowmik

.....for the Petitioners

Mr. Nilay Chakraborty
Mr. Sourav Ganguly.

..... for the State

The petitioners undertake to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. The petition is taken up for hearing through video conference on the basis of such undertaking.

The defacto complainant is stated to be a health worker. It is submitted by the learned advocate for the petitioners that the petitioner no. 1 went to the house of the defacto complainant to have some medicines supplied by the State Government for distribution. The defacto complainant gave the medicines and demanded money. Over the said incident an altercation took place between the petitioner

and the defacto complainant. Then he lodged a false complaint against the petitioners.

We have carefully perused the memo of evidence. Though the learned P.P. in-charge has raised objection against the prayer for anticipatory bail of the petitioners but we are of the view that the nature of allegation does not inspire us to refuse the prayer for anticipatory bail because custodial interrogation of the petitioners in this case is not necessary.

For the reasons stated above, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each together with two sureties of like amount each, one of whom each must be local, to the satisfaction of the arresting officer subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the investigating officer once in a week till completion of investigation.

Accordingly, CRM 5574 of 2020 and CRAN 3928 of 2020 are disposed of.

(Bibek Chaudhuri, J.)

(Samapti Chatterjee, J.)

