

11.01.2021
Court No.28
rpan / 100

CRM No.16 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section
438 of the Code of Criminal Procedure ;

And

In Re : **Hamim Sk @ Jasim Sk. & Another**
....Petitioners.

Mr. Mazhar Hossain Chowdhury
....For the Petitioners.

Mr. Swapan Banerjee,
Mrs. Purnima Ghosh
... for the State

Apprehending arrest in connection with Kaliachak P. S.
Case No. 789 of 2020 dated 10.10.2020 under Sections 379/
411/ 413/ 414/ 120B of the Indian Penal Code, the petitioners
have filed the present application.

The learned advocate appearing for the petitioners
submits that two co-accused persons similarly situated with
the petitioners had already been granted anticipatory bail and
the petitioners have been falsely implicated.

Mr. Banerjee, learned advocate appearing for the State
denies the statements of the petitioners.

Upon considering the materials in the case diary, 161
statement of the principal accused and the extent of
complicity of the petitioners in the alleged offences, we are of
the opinion that custodial interrogation of the petitioners is
not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No.16 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)