

11-01-2021
Subha
Item no.103
Bail Allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 23 of 2021

Amresh Ghosh and ors.

-vs-

The State of West Bengal
(Via Video conference)

In Re: An application for anticipatory bail under Section 438 CrPC apprehending arrest in connection with Belda P. S. Case No.137 of 2020 dated 18-06-2020 under Sections 420/468/471/50/34 of the Indian Penal Code (G. R. Case No. 272 of 2020).

Mr. Rohan Ojha
Mr. Souvik Dere

...for the petitioners.

Mr. Swpan Banerjee
Ms. Purnima Ghosh

... for the State.

Mr. Ojha, learned advocate for the petitioners submits that the petitioners are innocent of the charges and the present application for anticipatory bail was initiated on the basis of an application under Section 156(3) of the Code of Criminal Procedure thereby intending to falsely implicate and harass the present petitioners.

Mr. Banerjee, learned advocate for the State draws the attention of this court to the relevant statements appearing in the case diary against the present petitioners.

We have taken into account the materials appearing in the case diary as well as the allegations made in the application under Section 156(3) of the Code of Criminal Procedure.

Having regard to the same, we are of the opinion that the custodial interrogation of the petitioners are not warranted in the

facts and circumstances of the present case.

As such, in the event of arrest, the petitioners shall be released on bail, upon furnishing bond of Rs.10,000/- (Rupees ten thousand only) each with two sureties of Rs.5000/- each, one of whom must be local subject to the satisfaction of the arresting officer/investigating officer and on condition that they shall not tamper with the evidence of the case or intimidate the witnesses.

The petitioners shall meet the Investigating Officer of the case once in a week until further orders.

The aforesaid order of anticipatory bail are subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

As such, the prayer for anticipatory bail of the petitioners is allowed and accordingly, application for anticipatory bail being CRM 23 of 2021 is disposed of.

[Tirthankar Ghosh, J]

[Tapabrata Chakraborty, J]

