

18.01.2021
Item no.179
Court No.28
Avijit Mitra

C.R.M. 51 of 2021 (via video conferencing)

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

And

In Re : Abaj Biswas

.... petitioner

Ms. Pramita Banerjee

....for the petitioner

Mr. S.S. Imam,

Mr. Arabinda Manna

..... for the State

Apprehending arrest in connection with Domkol Police Station Case No.400 of 2020 dated 30.07.2020 under Sections 147/148/149/307/34 of the Indian Penal Code and under Sections 3/4 of the Explosive Substances Act, 1908 the present application has been preferred.

Ms. Banerjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and there is no specific allegation against the petitioner in the complaint. Persons similarly situated with the petitioner had already been granted anticipatory bail and in view thereof custodial detention of the petitioner is not necessary.

Learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the fact

that the persons similarly situated with the petitioner have already been granted anticipatory bail, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet with the investigating officer once a week on and from 25th January, 2021, until further orders.

The presence of the investigating officer is dispensed with.

The application for anticipatory bail being C.R.M. 51 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)