

13.01.2021
Court No.28
Item No. 100
Krishnendu
ALLOWED

C.R.M. 69 of 2021

(Via video Conference)

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

And

In Re : **Satyajit Sharma & Ors.**

.....Petitioners

Mr. Uday Chandra Jha

Mrs. Maheswari Sharma

....For the Petitioners

Mr. Binoy Panda

Mr. Subham Bhakat

.....For the State

Apprehending arrest in connection with Netaji Nagar Police Station Case No. 442 of 2020 dated 05.12.2020 under sections 279/337/147/148/149/427/307 of the Indian Penal Code and sections 25/27 of the Arms Act, the petitioners have filed the present application.

Mr. Jha, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in the present case and similarly placed persons have been granted the privilege under section 438 of the Code of Criminal Procedure in C.R.M. 10588 of 2020 , C.R.M. 64 of 2021 and C.R.M. 67 of 2021.

Mr. Panda, learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the injury report and the statements of the witnesses.

We have perused the injury report as well as other materials on record and having regard to the fact that similarly placed accused persons have been granted the privilege of anticipatory bail, we are of the opinion that custodial detention of the petitioners is not warranted for the purpose of investigation in this case.

Accordingly, the prayer for anticipatory bail is allowed and we direct that in the event of arrest the petitioners, namely **Satyajit Sharma, Manish Gupta, Aniket Singh and Rahul Sharma**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 with a further condition that they shall meet the Investigating Officer of the case once a week until further orders.

This application for anticipatory bail, being CRM 69 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

