

14.01.2021
Court No.28
Item No. 114
Krishnendu
ALLOWED

C.R.M. 97 of 2021

(Via video Conference)

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

And

In re: **Samir alias Tasmir Dafader & Anr.**

.....Petitioners

Mr. Sourav Mukherjee

Mr. Amanul Islam

....For the Petitioners

Mrs. Faria Hossain

Mrs. Sonali Das

.....For the State

Apprehending arrest in connection with Tehatta Police Station
Case No. 335 of 2020 dated 14.08.2020 under sections
341/326/307/34 of the Indian Penal Code, the petitioners have filed the
present application.

The learned advocate appearing for the petitioners submits that
there was a family rivalry and the petitioners have been falsely
implicated in the criminal proceedings.

The learned advocate appearing for the State opposes the prayer
for anticipatory bail and submits that there are incriminating materials
against the petitioners.

Having heard the learned advocates appearing for the respective
parties and upon considering the materials in the case diary and the
injury report, we are of the opinion that custodial detention of the
petitioners is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioners, namely, **Samir alias Tasmir Dafader and Seheran alias Seherun Dafader Bibi @ Seherun Dafader Bibi**, 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 on further condition that the petitioners will stay outside the jurisdiction of Tehatta Police Station, except for the purpose of investigation . The petitioner no.1, **Samir alias Tasmir Dafader**, shall meet the Investigating Officer of the case once a week on a from 21st January, 2021 until further orders.

The application for anticipatory bail, being CRM No. 97 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)