

14.01.21
(S.R.)
Sl.126
Ct.28

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Dhantala Police Station Case No.481 of 2020 dated 16.11.2020 under Sections 323/326/427/34 of the Indian Penal Code;

And

In re: Loknath Sarkar @ Loku

... petitioner.

Mr. Abdur Rakib

Mr. Somnath Majumder

... for the petitioner.

Mr. Goutam Wilson

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings and there is no incriminating material against him.

The learned advocate appearing for the State respondent opposes the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary and the injury report, 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, namely, **Loknath Sarkar @ Loku**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer and also 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 stay outside the jurisdiction of Dhantala Police Station except for the purpose of investigation and shall meet the investigating officer once in a week on and from 25th January, 2021, until further orders.

Accordingly, the application for anticipatory bail being CRM No.128 of 2021 is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)