

14.01.2021
Item No.140
Ct.No.28
s.d.
Allowed

C.R.M. 155 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In the matter of : Billal Shaikh and ors. ... Petitioners.

Mr. Asraf Mondal

... For the Petitioner.

Mr. Abhra Mukherje

Mr. Gautam Banerjee

... For the State.

Apprehending arrest in connection with Palashipara Police Station Case No. 376 of 2020 dated 20-12-2020 under Sections 447/325/326/307/354B/427/506/34 of the Indian Penal Code, the present petitioners have filed the present application.

Learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in the present criminal proceedings. There is a long standing land dispute between the complainant and the petitioners and pertaining to the alleged incident, a counter claim has also been lodged. There is no incriminating material against the present petitioners and as such, their custodial detention is not necessary.

Mr. Mukhrejee, learned advocate appearing for the State opposes the petitioners' 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 and the injury reports, we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners shall 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.

The petitioner nos. 1 to 5 shall meet with the Investigating Officer of the case once a week on and from 21st January, 2021 until further orders.

The application for anticipatory bail, being CRM 155 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)