

14.01.2021
Item No.148
Ct.No.28
s.d.
Allowed

C.R.M. 165 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 : Tagdarul Sk. ... Petitioner.

Mr. Manas Kumar Das
... For the Petitioner.

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel ... For the State.

Apprehending arrest in connection with Kandi Police Station Case No. 497 of 2020 dated 14-11-2020 under Sections 448/325/326/379/506/34(G. R. Case No. 1623 of 2020) of the Indian Penal Code, the present application has been preferred.

Learned advocate appearing for the petitioner submits that there had been a long-standing dispute amongst the parties pertaining to demarcation of a plot of land. The petitioner has been falsely implicated in the instant criminal proceedings and the other co-accused persons have already been granted anticipatory bail by the learned Sessions Judge. Upon completion of investigation,

charge sheet has already been submitted and as such custodial detention is not necessary.

Mr. Agarwala, learned advocate appearing for the State opposes the prayer for anticipatory bail 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 report, we are of the opinion that custodial detention of the petitioner is not warranted.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 application for anticipatory bail, being CRM 165 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)