

19.01.2021

Item No.193

Ct.No.28

dc.

Allowed

C.R.M. 190 of 2021

(Via Video Conference)

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

And

In Re : **Atul Biswas & Anr.**

... Petitioners.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

... For the Petitioners.

Md. Anwar Hossain,
Ms. Sreyashee Biswas

... For the State.

Apprehending arrest in connection with Santipur P.S. Case No. 484 of 2020 dated 28.10.2020 under Sections 448/325/326/307/379/34 of the Indian Penal Code, the present application has been preferred by the petitioners.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated and a co-accused has already been granted anticipatory bail by a co-ordinate Bench of this Court. In view thereof, custodial detention of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer.

Having heard the learned advocates and considering the materials in the case diary and the fact that a co-

accused, similarly situated with the petitioners, has been granted anticipatory bail, 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 and on further condition that the petitioners shall meet with the Investigating Officer of the case once a week until further orders.

The application for anticipatory bail, being CRM 190 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)