

19.01.2021
Item No.213
Ct.No.28
s.d.
Allowed

C.R.M. 228 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 : Santi Sardar and anr. ... Petitioners.

Mr. Angshuman Chakraborty
Mr. S. S. Saha

... For the Petitioners.

Ms. Faria Hossain
Ms. Sonali Das

... For the State.

Apprehending arrest in connection with Basanti Police Station Case No. 803 of 2019 dated 18-11-2019 under Sections 341/323/325/328/34 of the Indian Penal Code, the present application for anticipatory bail has been filed.

Learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in the present criminal proceedings. Three co-accused persons have already been granted bail. Upon completion of investigation, charge sheet has also been submitted and as such custodial detention of the petitioners is not necessary.

Learned advocate for the State opposes the petitioners' prayer and draws the attention of this court to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, 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 application for anticipatory bail, being CRM 228 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)