

21.01.2021

Item No.144

Ct.No.28

dc.

Allowed

C.R.M. 259 of 2021

(Via Video Conference)

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

And

In Re : **Dilip Khilari @ Dilip Kumar Khilari @ Dilip Kumar Khelari**

... Petitioner.

Mr. Rajdeep Bhattacharya

... For the Petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas

... For the State.

Apprehending arrest in connection with Kharagpur (Local) P.S. Case No. 137 of 2020 dated 20.02.2020 under Sections 341/323/325/307/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner and the *de facto* complainant are neighbours and there was an existing boundary dispute between them. He has been falsely implicated and in view of the nature of allegations, custodial detention of the petitioner is not necessary. He further submits that two other co-accused persons have already been granted anticipatory bail.

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

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report, we are of the opinion that custodial detention of the petitioner is not necessary.

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 and on further condition that the petitioner shall meet with the Investigating Officer of the case once a week on and from 25.01.2021 until further orders.

The application for anticipatory bail, being CRM 259 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)