

21.01.2021

Item no.145

Court No.28

Avijit Mitra

C.R.M. 260 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Mursed Sk @ Atifar Sk.

.... petitioner

Mr. Manas Kumar Das

....for the petitioner

Ms. Baisali Basu

..... for the State

Apprehending arrest in connection with Bharatpur Police Station Case No.309 of 2020 dated 15.11.2020 under Sections 325/326/307/34 of the Indian Penal Code and under Sections 3/4 of the E.S. Act the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated as counterblast to a complaint lodged by the petitioner herein. Out of ten accused persons nine have already been granted anticipatory bail by the learned Court below and in view thereof, custodial detention of the petitioner is not necessary.

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 injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner 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 being C.R.M. 260 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)