

21.01.2021
Court No.28
Item No. 153
Krishnendu
ALLOWED

C.R.M. 271 of 2021
(Via video Conference)

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

And

In re: **Majibur Rahaman & Ors.**

.....Petitioners

Mr. Tapodip Gupta

....For the Petitioners

Mrs. Sukanya Bhattacharya

Mr. Nirupam Dhali

.....For the State

Apprehending arrest in connection with Lalgola Police Station Case No. 140 of 2020 dated 05.03.2020 under sections 341/325/326/307/34 of the Indian Penal Code, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that there was a land dispute among the parties and the petitioners have been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such, the custodial detention of the petitioners is not necessary. He further submits that two co-accused persons, similarly situated with the petitioners, have already been granted anticipatory bail by the learned Sessions Court.

The learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, the gravity of the offence and the injury reports,

we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioners, namely **Majibur Rahaman, Bajlu Rahaman @ Bajlu Sk., Haidar Ali and Md. Tajrul Saikh @ Liton Sk. @ Tajrul Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 No. 271 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)
Chakraborty, J.)

(Tapabrata