

25.01.2021
Court No.28
Item No. 183
Krishnendu
ALLOWED

C.R.M. 293 of 2021
(Via video Conference)

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

And

In re: **Hironmoy Ghosh & Anr.**

.....Petitioners

Mr. Khalid Hasan

....For the Petitioners

Mr. Rana Mukherjee, d Id. A.P.P.

Mr. Suman Saha

.....For the State

Apprehending arrest in connection with Nabadwip Police Station Case No. 419 of 2020 dated 27.10.2020 under sections 147/148/149/186/323/325/332/353/188 of the Indian Penal Code and section 51(1)(b) of the Disaster Management Act, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There are no direct allegations attributable to the petitioners. Co-accused persons have already been granted bail. In the said conspectus, custodial detention of the petitioners is not necessary.

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

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the fact that co-accused persons, similarly situated with the petitioners, had already

been granted bail, 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, **Hironmoy Ghosh and Goutam Ghosh**, 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 and on further condition that the petitioners shall meet with the Investigating Officer of the case once a week on and from 2nd February, 2021 until further orders.

The application for anticipatory bail, being CRM No. 293 of 2021, is, thus, disposed of.

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

(Tapabrata