

25.01.2021
Item no.186
Court No.28
Avijit Mitra

C.R.M.304 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with English Bazar Police Station Case No.31 of 2018 dated 11.01.2018 under Sections 448/325/307/379/376/34 of the Indian Penal Code;

And

In Re : Ramnath Chowdhury & Ors.

.... petitioner

Ms. Sujata Das

....for the petitioners

Mr. Arijit Ganguly,

Mr. Sanjib Dan

..... for the State

The learned advocate appearing for the petitioners submits that there was a dispute pertaining to a plot of land between the petitioners and the complainant. The petitioners have been falsely implicated. Upon completion of investigation chargesheet has also been filed and as such custodial detention of the petitioners 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 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 direct that in the event of arrest, the petitioners namely Ramnath Chowdhury, Partha Chowdhury,

Pulak Chowdhury, Sunita Chowdhury, Sujata Chowdhury, Sangita Chowdhury and Minu Chowdhury 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 C.R.M. 304 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)