

12.03.2021
Court No.28
Item No. 18
Krishnendu
Allowed

**CRM 566 of 2021
(Via video Conference)**

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

And

In Re : **Nemai Biswas @ Sanyasi alias Nimai Biswas**

Petitioner

Mr. Sumanta Das

For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. P.P.

Mr. Shiladitya Banerjee

For the State

Apprehending arrest in connection with Krishnaganj P.S. Case No. 274 of 2020 dated 19.12.2020 under sections 341/326/307/379/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are unfounded and he has been falsely implicated. The principal accused, namely, Shyamapada Biswas, has already been arrested. In view thereof, custodial interrogation of the petitioner is not necessary.

Mr. Mukherjee, learned Public Prosecutor appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to the injury report and other materials in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the injury report and the extent

of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Nemai Biswas @ Sanyasi alias Nimai Biswas**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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. 566 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)