

12.03.2021
Item no.42
Court No.28
Avijit Mitra

C.R.M. 637 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with English Bazar Police Station Case No. 976 of 2020 dated 18.10.2020 under sections 448/195A/325/506/34 of the Indian Penal Code. ;

And

In Re : Rajikul Sk.

.... Petitioner

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

...for the petitioner

Mr. Saibal Bapuli,

Mr. Bihasan Bhattacharya

...for the State

The learned advocate appearing for the petitioner submits that the present case has been initiated with the purpose of victimising the petitioner after he has obtained the statutory bail in connection with English Bazar Police Station Case No. 298 of 2020. Learned advocate further submits that there was no incident as has been alleged in the instant case.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioner's prayer. However, he draws the attention of this Court to the injury report. The injury report reflects that there are abrasion and small injuries on the person.

We have perused the case diary as also other materials so available including the injury report. Having regard to the materials on record, we are of the opinion that custodial detention of the petitioner is not warranted in

connection with the instant case. As such, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rajikul 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 petitioner shall stay outside the jurisdiction of English Bazar Police Station on and from 17th March, 2021 and shall enter only for the purpose of attending the Court and the Officer-in-Charge of English Bazar Police Station.

The petitioner shall meet with the Officer-in-Charge, English Bazar Police Station once in a week until further orders.

Accordingly, the application being C.R.M. No.637 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)