

07.04.2021

Item No.55

Ct.No.28

Subha

Allowed

C.R.M. 655 of 2021

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 Cr.P.C in connection with Malda P. S. Case No. 102 of 2019 dated 21.02.2019 punishable under Sections 448/354/325/308/506/34 of the Indian Penal Code.(G. R. Case No. 712 of 2019).

And

In the matter of : Surya Saha @ Mondal @ Palash Mandal
.. Petitioner.

Mr. Kallol Mondal
Mr. M. A. Sk
Mr. Krishnan Roy
Ms. Amrita Chel
Mr. Souvik Das

... For the Petitioner.

Mr. Rana Mukherjee, APP
Mr. Suman Saha

... For the State.

Apprehending arrest in connection with Malda Police Station Case No. 102 of 2019 dated 21.02.2019 punishable under Sections 448/354/325/308/506/34 of the Indian Penal Code, the present application has been filed.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner is innocent of charges and he has been falsely implicated in the instant case.

Additionally, learned advocate for the petitioner submits that the investigation of the case has already been concluded and as such, on any stringent condition, the petitioner may be released as prayed for.

Mr. Saha, learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of this court to the medical reports which are available in the case diary.

Having regard to the nature of injuries, we are of the opinion that the custodial detention of the petitioner in this case may not be warranted as the investigation of the case has already been concluded, the anticipatory bail prayer of the present petitioner is allowed.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the *petitioner*, namely, **Surya Saha @ Mondal @ Palash Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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
655 of 2021 is, thus, disposed of.

(**Harish Tandon, J.**)

(**Tirthankar Ghosh, J.**)