

24.05.2021
Court No.28
Item No. 09
Krishnendu
Allowed

**CRM 682 of 2021
(Via video Conference)**

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

And

In Re : **Pachu Chowhan & Ors.**

Petitioners

Mr. Biswajit Mitra

For the Petitioners

Mr. Apurba Kumar Datta

For the State

Apprehending arrest in connection with Gangarampur P.S. Case No. 154 of 2020 dated 16.05.2020 under sections 186/188/332/333/353/269/270/34 of the Indian Penal Code, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that there was a free fight between the parties and the petitioners have been falsely implicated. Similarly situated co-accused persons have already been granted anticipatory bail. Charge sheet has also been submitted upon completion of investigation and in view thereof, custodial interrogation of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail but he could not dispute the fact that co-accused persons, similarly situated with the petitioners, have been granted anticipatory bail.

In view thereof and in the facts and circumstances of the case, we are of the opinion that custodial interrogation of the

petitioners is not warranted. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Pachu Chowhan, Jagadish Chouhan, Shyamsundar Chowhan, Tapash Chowhan, Uttam Chowhan and Laxman Chowhan**, 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 application for anticipatory bail, being CRM No. 682 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.

(Bibek Chaudhuri, J.)

(Tapabrata Chakraborty, J.)