

09.04.2021
Item No.262
Ct.No.28
Subha
Allowed

C.R.M. 727 of 2021
(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 CrPC in connection with Mallarpur P.S. Case No.90 of 2020 dated 16-09-2020 under Sections 341/186/189/332/353/323/325/307/34 of the Indian Penal Code.

And

In the matter of : **Dipu Kundu @ Dipendra Kundu**
.. Petitioner.

Ms. Koel Mukherejee
Mr. A. Sardar
Mr. M. Murshed
Mr. Sayan Mukherjee

... For the Petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... For the State.

Apprehending arrest in connection with Mallarpur Police Station Case No. 90 of 2020 dated 16.09.2020 under Sections 341/186/189/332/ 353/323/325/307/34 of the Indian Penal Code, the present application has been filed.

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

On the other hand, learned advocate appearing for the State opposes the prayer for bail and submits that the public officials were assaulted when they were engaged in the discharge of their official duty.

Having regard to the nature of the allegations which has surfaced in the case diary and the fact that the public officials have been obstructed in their discharge of duty, we direct the petitioner should appear before the jurisdictional court within a period of three weeks from date and liberty is also given to pray for regular bail.

In view of the aforesaid, the petitioner shall not be arrested for a period of three weeks from date.

The learned jurisdictional Magistrate will independently consider the application for bail without being influenced by any observations made by this court while disposing of this application.

Accordingly, application for anticipatory bail, being CRM 727 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.)

(Soumen Sen, J.)