

09.04.2021
Item No.263
Ct.No.28
Subha
Allowed

C.R.M. 729 of 2021
(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 CrPC in connection with Mallarpur P.S. Case No.101 of 2020 dated 26-10-2020 under Sections 341/324/326/34 of the Indian Penal Code.

And

In the matter of : **Sujit Bagdi**

.. Petitioner.

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

... For the Petitioner.

Mr. Anwar Hossain
Ms. Sreyashee Biswas

... For the State.

Apprehending arrest in connection with Mallarpur Police Station Case No. 101 of 2020 dated 26.10.2020 under Sections 341/324/326/34 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 draws the attention of this court to the injury report.

We found that the injuries so reflected in the case diary are in the nature of laceration and abrasion.

Having regard to the nature of injuries and the statement of the witnesses, although we find that a case has been made out, we are of the view that custodial interrogation of the petitioner may not be warranted in the facts and circumstances of the case.

As such, prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Sujit Bagdi** 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 petitioner shall meet with the Inspector-in-charge of the case once a week on and from 16th April, 2021 until further orders.

The application for anticipatory bail, being CRM 729 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.)