

12.04.2021
Court No.28
Item No. 295
Krishnendu
ALLOWED

C.R.M. 796 of 2021

(Via video Conference)

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

And

In re: **Sk. Samsur Rahaman & Anr.**

.....Petitioners

Mr. Sandip Kundu

.....For the Petitioners

Mr. N.P. Agarwalla

Ms. Subhasree Patel

.....For the State

Apprehending arrest in connection with Pingla Police
Station Case No. 225 of 2020 dated 27.07.2020 under
sections 341/324/325/307/308/354B/506/34 of the Indian
Penal Code, 1860, the petitioners have filed the present
application.

The learned advocate for the petitioners submits that
there was a previous dispute relating to property between the
present petitioners and the complainant.

Mr. Agarwalla, learned advocate appearing for the State
produces the case diary and draws the attention of this Court
to the injury report.

We have considered the materials available in the case
diary and also the fact that investigation of the case has
already been concluded.

Having regard to the fact that charge sheet has already
been filed, we are of the opinion that custodial detention of

the petitioners is unwarranted in the facts and circumstances of this case.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Sk. Samsur Rahaman** and **Rokia Bibi**, 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 with a further condition that the petitioner no. 1 shall meet with the Officer-in-Charge of Pingla Police Station once a week on and from 20th April, 2021 until further orders.

The application for anticipatory bail, being CRM No. 796 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.)