

16.04.2021
Court No.28
Item No. 245
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C.R.M. 874 of 2021

(Via video Conference)

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

And

In re: **Tapan Ghosh @ Patla**

... Petitioner

Mr. Arup Kumar Bhowmick

...For the Petitioner

Mr. Swapan Banerjee

Mr. Purnima Ghosh

...For the State

Apprehending arrest in connection with English Bazar Police Station Case No. 248 of 2018 dated 18.03.2018 under sections 308/186/353/333/34 of the Indian Penal Code and sections 25(1B)/35 of the Arms Act, the petitioner has filed the present application.

The facts of the case refer to a vehicle, which speed over when it was intercepted. Subsequently, two pipe guns were recovered from the said vehicle and the accused fled away from the spot.

The learned advocate for the petitioner submits that the petitioner happens to be a passenger.

Be that as it may, we are of the opinion that the petitioner should surrender before the jurisdictional court within a period of four weeks from date.

The Investigating Officer is directed not to arrest the petitioner during the said period of four weeks.

If the petitioner surrenders before the jurisdictional Court within the aforesaid period, the said Court would consider his application for regular bail without being influenced by any observations made by this Court.

In the mean time, the petitioner shall meet with the Investigating Officer once in a week on and from 19.4.2021 until further orders.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 874 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.)