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19-05-2021

Court 28

**C.R.M. 1014 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 199 of 2020 dated 18.09.2020 under sections 326A/506/34 of the Indian Penal Code.

Suranjan Adhikary
Versus
State of West Bengal

Allowed

Mrs. Karabi Roy, Adv.

...for the petitioner.

Mr. N. Ahmed, Adv.
Md. Anwar Hossain, Adv.
Mr. Pratick Bose, Adv.

...for the State.

The learned Counsel appearing on behalf of the petitioner submits that there is no eyewitness to the incident and the petitioner has been falsely implicated. It is also submitted that one of the co-accused persons namely, Sukdev Biswas @ Harekrishna Biswas was granted bail by a coordinate Bench on 9th December, 2020.

The learned Counsel for the State opposes the prayer for anticipatory bail and submits that the victim suffered acid burn injuries in her private parts.

We have considered the materials on record including the statement of the injured. It appears from the statement that he was sleeping at the time of incident. In view of the facts and circumstances of the case and having regard to the fact that investigation is complete, we are inclined to grant anticipatory bail to the petitioner as the custodial interrogation of the petitioner is not required.

Accordingly, we direct that in the event of arrest, the petitioner, namely, Suranjan Adhikary shall be released on anticipatory 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 appear before the learned trial

court on every date of hearing until further orders and shall not intimidate the witness and tamper with the evidence in any manner whatsoever.

The application for anticipatory bail is allowed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Soumen Sen, J.)