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21-05-2021
Court 28

**C.R.M. 1032 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagar Police Station Case No. 105 of 2020 dated 30.07.2020 under sections 302/34 of the Indian Penal Code.

Arun Pramanik & Ors.
Versus
State of West Bengal

Partly
Allowed

Mr. Partha Sarathi Mondal, Adv.

...for the petitioners.

Mr. N. Ahmed, Adv.
Mr. A. Hossain, Adv.
Mr. Pradipta Ganguly, Adv.

...for the State.

The learned Counsel for the petitioner submits that the petitioners are innocent and they have been implicated in this case out of political rivalry.

The learned Counsel for the State opposes the prayer for anticipatory bail and submits that there are incriminating materials available against the petitioners.

Considering the materials available on record as well as incriminating materials available against the petitioner Nos. 1 to 11 except the petitioner nos. 7 and 10 in the commission of the alleged offence, we are not inclined to grant anticipatory bail to the petitioner nos. 1, 2, 3, 4, 5, 6, 8, 9 and 11. But the petitioner nos. 7 and 10 may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner nos. 7 and 10 namely, Gita Guria and Arati Mondal, shall be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) 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.

The application for anticipatory bail of the petitioner nos. 7 and 10 is allowed and the application for anticipatory bail of the petitioner nos. 1, 2, 3, 4, 5, 6, 8, 9 and 11 is rejected.

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.)