

21.05.2021
SL No.13
Court No.28
(gc)

CRM 1193 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No.641/2020 dated 03.08.2020 under Sections 341/323/325/307/34 of the Indian Penal Code.

And

In the matter of : **Habibur Rahaman @ Habibur @ Hobibur
Rahaman @ Hobibur & Anr.**

- Petitioners

Mr. Arup Sarkar

... For the Petitioners.

Mr. Saibal Bapuli, Ld. A.P.P.,

Mr. N.P. Agarwala,

Mr. Ashok Das,

... For the State.

The petitioner No.1 and the petitioner No.2 are the uncle and cousin brother of the complainant. The petitioners submit that the petitioners have been falsely implicated and they are innocent.

The learned Counsel for the State opposes the prayer for anticipatory bail and has produced the relevant document including the injury report.

Considering the materials available on record and nature and extent of injury alleged to have been suffered by the complainant and the extent of involvement of the petitioners in the commission of the alleged offence and also having regard to the fact that the charge-sheet has already been filed, we are of the opinion that custodial interrogation of the petitioners is not necessary and they

may be granted anticipatory bail. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners 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.

The application for anticipatory bail, being CRM No.1193 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)