

01.09.2021
Item no.20.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1195 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 28.01.2021 in connection with Ratua Police Station Case No.250 of 2020 Dated 29.05.2020 under Sections 448/323/324/307/34 of the Indian Penal Code

And

In the matter of : Parvej Alam @ Abu Samad @ Abu Sama

.....Petitioner.

Mr. Sujay Sarkarfor the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Danfor the State.

We are told that the petitioner had dug a hole on his land for whatever purpose. The victim's goat was grazing on the land and fell into the hole. Subsequently, the poor creature died. A dispute arose stemming from the death of the goat between the petitioner and the victim and there was exchange of blows.

We have seen the injury report. The injury of the victim is simple in nature. Charge sheet has been submitted.

Having assessed the material on record and the nature and gravity of the alleged offence, we are of the view that

immediate custodial interrogation of the petitioner may not be necessary.

Accordingly, in the event of arrest, the petitioner, namely Parvej Alam @ Abu Samad @ Abu Sama shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1195 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)