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20-05-2021

Court 28

**C.R.M. 1227 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 303 of 2020 dated 19.11.2020 under sections 363/366/34 of the Indian Penal Code.

Chinmoy Ghosh
Versus
State of West Bengal

Allowed

Mr. Asraf Mandal, Adv.

...for the petitioner.

Mr. Swapan Banerjee, Adv.

Mr. Suman De, Adv.

...for the State.

Considering the memo of evidence and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which prima facie exculpate the petitioner, we are of the opinion that the custodial interrogation of the petitioner is not necessary and the petitioner may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner namely, Chinmoy Ghosh 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 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.)