

01.09.2021
Item no.21.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1282 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 01.02.2021 in connection with Chanchal Police Station Case No.320 of 2020 Dated 25.03.2020 under Sections 188/332/333/353/186/307 34 of the Indian Penal Code

And

In the matter of : Khairu Sk. @ Alifur Haque

.....Petitioner.

Mr. Soupal Chatterjeefor the Petitioner.

Ms. Sukanya Bhattacharya,
Md. Kutubuddinfor the State.

The petitioner is one of several accused persons. The incident was that lockdown was in progress because of the pandemic. A teashop was open where the petitioner and other accused persons were present. The police wanted to enforce the lockdown and close down the teashop. This resulted in a fight between the police personnel and the people, who had gathered at the teashop. The petitioner was one of them.

We have seen the statements of witnesses. We have seen the injury report. The injury is not serious. Charge sheet has been submitted.

On an overall assessment of the nature and gravity of the alleged offence and the material on record, 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 Khairu Sk. @ Alifur Haque 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.1282 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.)