

18.08.2021
Item no. 25
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 1576 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 06.03.2021 in connection with Chanchal Police Station Case No. 270 of 2020 dated 06.03.2020 under Sections 341/323/354/307 and 34 of the Indian Penal Code.

And

In the matter of : Anwara Bibi @ Anbara Bibi & Ors.

.....Petitioners.

Mr. Soupal Chatterjee, Advocate,
Mr. Aradhya Mondal, Advocate,

.....for the Petitioners.

Mr. Arijit Gangully, Advocate,
Mr. Avik Ghatak, Advocate,

.....for the State.

The petitioners are three out of eight accused persons.

The petitioners say that there was long standing civil dispute between the petitioners and the complainants and their associates. Five of the accused persons have been granted anticipatory bail by the learned Court below. The petitioners pray for similar privilege.

We have seen the material in the case diary including statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. We have also seen the injury report. The

injuries are simple in nature. Charge sheet has already been filed.

On an overall assessment of the facts and circumstances of the case and noticing the fact that five out of the eight accused persons have been extended the privilege of anticipatory bail by the learned Court below and that the present petitioners stand on a similar footing, we are inclined to allow the prayer of the petitioners' anticipatory bail.

Accordingly, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail 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 CRM 1576 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.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

