

DI. May 20,
58. 2021

Through Video Conference

C.R.M. 1682 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on February 9, 2021 in connection with Gangarampur Police Station Case No. 183 of 2020 dated June 10, 2020 under Sections 143/341/325/326/307/427/379/506/354/34 of the Indian Penal Code;

And

In the matter of : Mahabubar Rahaman & ors. ...petitioners.

Versus

State of West Bengal ...opposite party.

Mr. Sajal Kanti Bhattacharyya.,
...for the petitioners.

Ms. Faria Hossain,
Mr. Aniket Mitra,
...for the State.

We have heard the learned advocates appearing for the parties and perused the case diary.

It is submitted on behalf of the petitioners that the petitioners are innocent and have been falsely implicated in the instant case.

The learned Advocate appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the injury report of the victim.

Having considered the materials available on record and the nature of injury sustained by the victim and bearing in mind the extent of involvement of the petitioners in the alleged crime and keeping in mind the fact that charge sheet has already been submitted, we are of the opinion that custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

Under such circumstances, we direct that in the event of arrest of the petitioners, namely, **Mahabubar Rahaman, Arif Hossain, Jamrul Hoque, Mahamudul Sarkar, Rejaul Haque, Jiyarul Haque, Mijanur Miya, Ajijur Miya, Nurul Miya, Faijur Rahaman, Bablu Miya, Hamidur Rahman, Asraful Miya, Abdul Matin Sarkar, Masud Ali, Abdul Hamid @ Abdul Hamid Mia and Mahammud Ali**, they shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) only each with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer, subject to the conditions as laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The application for anticipatory bail is, thus, **allowed**.

dns

(Suvra Ghosh, J.)

(Soumen Sen, J.)