

31.05.2021  
Item no.31  
Court No.28  
Sn/srm

C.R.M. 1745 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

**In Re : Sukanta Barman**

.... petitioner

Mr. Siddhartha Sarkar

....for the petitioner

Mr. Tanmoy Ghosh

Mr. Arindam Sen

..... for the State

Apprehending arrest in connection with Bhagwanpur Police Station Case No.220 of 2019 dated 12.11.2019 under Sections 341/323/325/307 & 506 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that there was a previous land dispute amongst the parties and the petitioner has been falsely implicated. The allegations levelled against him are unfounded. There is also no possibility of the petitioner to flee from justice and in view thereof, the petitioner may be granted anticipatory bail on any stringent condition.

The learned Advocate for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

We have perused the materials in the case diary including the injury report. Considering the nature of allegations and the extent of complicity, we are of the opinion that custodial interrogation of the petitioner is not necessary in the facts and

circumstances of the present case. As such, his prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sukanta Barman**, shall be released on anticipatory 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioner shall reside outside the jurisdiction of Bhagwanpur police station and shall intimate the address where he would be residing to the Officer in Charge of the Bhagwanpur police station immediately.

It is further directed that the petitioner shall meet with the investigating officer once a week on and from 7<sup>th</sup> June, 2021 until further orders.

Accordingly, the application for anticipatory bail being CRM No.1745 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Shampa Sarkar, J.)**

**(Tapabrata Chakraborty, J.)**