

47. 28.07.2021

Ct.32

Tanmoy

C.R.M. 1809 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **12/02/2021** in connection with **Berhampore Police Station Case No. 1040 of 2020** dated **14/10/2020** under Sections **325/326/307/34/341** of the Indian Penal Code.

And

In the matter of: - **Bakkar Sk. @ Abu Bakkar Sk. & Ors.**

....petitioners.

Ms. Sahana Hasin,
Mr. Mobaidur Hosssain

...for the petitioners.

Ms. Sukanya Bhattaharyya,
Mr. Mirza Firoj Ahmed Begg

...for the State.

It is submitted on behalf of the petitioners that they have been falsely implicated in this case. Charge-sheet has been submitted upon conclusion of investigation. Their custodial interrogation is no longer necessary.

Learned Advocate for the State opposes the prayer for anticipatory bail referring to the injury report as well as the statement of the victim who suffered head injuries and was admitted to hospital.

We have considered the material on record. Charge-sheet has been submitted after conclusion of investigation. Regard being had to the material available before us and in the facts and circumstances of the case and also as charge-sheet has been submitted, we are of the view that custodial interrogation of the petitioners may not be required as long as they co-operate with the Investigating Agency.

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 and with a further direction that the petitioners shall meet the Officer-in-Charge of Berhampore Police Station once in ten days until further orders.

The application for anticipatory bail being C.R.M. 1809 of 2021 is, thus, **allowed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)