

30.07.2021
Item no.27.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1912 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 15.02.2021 in connection with Ratua Police Station Case No.225 of 2020 Dated 9.5.2020 under Sections 341/323/325/376/511/34 of the Indian Penal Code

And

In the matter of : Rejaul Sai @ Riyajul Sai & Ors.

.....Petitioners.

Mr. M. Chatterjee,
Mr. Imdadul Haquefor the Petitioners.

Mr. S. S. Imam,
Mr. Sk. Arif Hossainfor the State.

We have heard learned Counsel for both the parties.

The allegation against the petitioners is under Sections 341/323 325/376/511/34 of the Indian Penal Code.

It is submitted that the present complaint is a fallout of civil and criminal disputes between the parties and the petitioners lodged an earlier complaint against the defacto complainant and her family members. The present complaint is a counter blast. Charge sheet has been submitted. The principal accused has been granted bail after being arrested.

Having considered the facts and circumstances of the case and the material on record, we are inclined to hold that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

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 C.R.M. No.1912 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.)