

DL. October 8,
18. 2021

C.R.M. 1973 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on February 19, 2021 in connection with Labpur Police Station Case No. 215 of 2019 dated September 25 2019 under Sections 448/323/354/307/427/506/353/341 of the Indian Penal Code;

And

In the matter of : Ramkrishna Bagdi & ors.	...petitioners.
Versus	
State of West Bengal	...opposite party.

Mr. Sujoy Sarkar,
...for the petitioners.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Dutta,
...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 have been falsely implicated in the instant case and that they have no criminal antecedents.

The learned Advocate appearing on behalf of the State opposes the prayer for anticipatory bail. The State relies upon the statement of the defacto complainant recorded under Section 164 of the Code of Criminal Procedure.

Considering the extent of complicity of the petitioners in commissioning the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not necessary and they may be granted pre-arrest bail.

Under such circumstances, we direct that in the event of arrest of the petitioners, namely, **Ramkrishna Bagdi, Rabindranath Das and Sanjoy Das @ Sanjit Das**, 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 and on further condition that the petitioners shall meet the investigating officer of this case once in a week until further orders.

We make it clear that this order shall remain in force for a period of eight weeks from date within which time the petitioners shall surrender before the jurisdictional court and pray for regular bail. The jurisdictional court shall consider the prayer for bail of the petitioners in accordance with law independently and without being influenced by any of the observations made by us.

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

dns

(**Rabindranath Samanta, J.)**

(**Soumen Sen, J.)**