

11.08.2021
Item no.34.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1995 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 22.02.2021 in connection with Ghatal Police Station Case No.327 of 2019 Dated 02.10.2019 under Sections 341/323/325/307/506/34 of the Indian Penal Code

And

**In the matter of : Mrinal Mahapatra
@ Mrinal Kanti Mahapatra**

.....Petitioner.

Mr. Tushar Kanti Har,
Mr. Somnath Chakrabortyfor the Petitioner.

Mr. Tanmoy Kumar Ghosh,
Ms. Sima Biswasfor the State.

We are told that the incident was a fight between father and son. Over a dispute, the son assaulted the father. The son being the petitioner prays for anticipatory bail.

We have seen the material in the case diary including statements of witnesses recorded under Sections 161/164 of the Code of Criminal Procedure.

Having considered the overall facts and circumstances of the case and the material on record and having regard to the fact that charge sheet has already been submitted and also in view of the nature and gravity of the alleged offence, we are of

the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with further investigation, if any.

Accordingly, in the event of arrest, the petitioner shall be released on 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders ; and on further conditions that the petitioner shall not enter the jurisdiction of Ghatal Police Station. He shall furnish the address where he shall be henceforth residing during the period of the anticipatory bail and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

In case the petitioner fails 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.1995 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.)

