

06.08.2021
Item no. 27
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 2001 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 Santipur Police Station Case No. 39 of 2021 dated 13.01.2021 under Sections 447/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of : Sukumar Bag & Ors.

.....Petitioners.

Ms. Sananda Bhattacharyya, Advocate,
.....for the Petitioners.

Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. Santanu Chatterjee, Advocate,
.....for the State.

The petitioners say that they have been falsely implicated over a civil dispute concerning a property. The petitioner no.2 has filed a prior complaint which has been registered as First Information Report with the Santipur Police Station. The present complaint is a counter-blast.

We have seen the material in the case diary including statements of persons recorded under Section 161 of the Code of Criminal Procedure. We have seen the injury report. The injuries suffered by the victim are simple in nature. We are also told by the counsel for the petitioners that the petitioners or

some of them also suffered injury in course of exchange of blows between the parties. Charge sheet has already been submitted.

Having considered the nature of the allegation made against the petitioners and the material in the case diary, we are of the opinion that the petitioners need not be taken into custody immediately so long as they co-operate with the further investigation, if any.

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 CRM 2001 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.)