

17.08.2021

Court No.28
Item No.274
(Allowed)

Akd
&
As

CRM 2159 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Palashipara Police Station Case No. 47 of 2021 dated 09.02.2021 under Sections 341/323/307/506/34 of the Indian Penal Code;

And

In the matter of : **Shyamal Biswas & Anr.**
...Petitioners

Mr. Manas Kumar Das,
Mr. Asraf Mandal.

...For the Petitioners

Mr. Bidyut Kumar Roy,
Ms. Rita Dutta.

...For the State.

Apprehending arrest in connection with Palashipara Police Station Case No. 47 of 2021 under Sections 341/323/307/506/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

The petitioners have been implicated in connection with the aforementioned case on the allegation that they were involved in inflicting physical assault on a civic police.

The aforesaid injured person was taken to the hospital and the medical report does not suggest the injury to be grievous in nature. The Doctor has opined that the injury is simple in nature and, therefore, we do not find any ingredient of Section 307 of the Indian Penal Code.

The prayer for anticipatory bail is thus allowed.

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 of the concerned police station subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the petitioner shall meet the Investigating Officer as and when called for.

Default without any plausible reason on a solitary occasion to

appear before the Investigating Officer may entitle the prosecution to apply for cancellation of the liberty granted in this order and if such approach is made, the concerned Court would decide the same independently without any further reference to this Court.

The application for anticipatory bail, being CRM 2159 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)