

10.06.2021  
Court No.28  
SL No.28  
PJ/KC

**CRM 2196 of 2021  
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Garhbeta** P.S. Case No. **459/2020** dated **20.11.2020** under Sections **448/323/354/307/506 of the Indian Penal Code;**

And

In the matter of: **Biswajit Kouri.**

....Petitioner.

Mr. Pravas Bhattacharya,

...for the Petitioner.

Mr. Binoy Panda,  
Ms. Puspita Saha,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Garhbeta P.S. Case No. 459/2020 dated 20.11.2020 under Sections 448/323/354/307/506 of the Indian Penal Code.

Anticipatory bail is sought principally on the ground that there is no physical injury found on the body of the victim.

This Court however notes that the victim was the mother of the petitioner. Admittedly, the property in question is standing in the name of the mother.

In view of the above and given the nature of allegations, this Court is inclined to grant relief to the petitioner under Sections 438 Cr.P.C.

Accordingly, in the event of arrest the petitioner shall be released on bail subject to satisfaction of conditions under Section 438(2) of Cr.P.C., 1973 and upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, one of whom

must be local, to the satisfaction of the IO, subject to condition that the petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter the jurisdiction of the **Garhbeta Police Station** except for the purposes of investigation and attending Court proceedings and shall provide the address where he will reside while on bail to the Investigating Officer as well as the Court below and shall report to the Officer-in-Charge of the concerned Police Station within whose jurisdiction he will reside once in a week until further orders. The petitioner shall surrender his passport to the IO and if he does not possess passport shall submit affidavit to that effect before the IO.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

**(Biswajit Basu, J.)**

**(Rajasekhar Mantha, J.)**