

44.
11-08-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 2358 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar Police Station** Case No. **258 of 2019** dated **16.03.2019** under Sections **341/326/307/34** of the Indian Penal Code.

- A n d -

In the matter of : Darbari Ghosh

.... Petitioner.

Mr. Avinaba Patra,

... For the Petitioner.

Mr. Rana Mukherjee,
Mr. S. Bhattacharyya,
Mr. Mirza F. Ahmed Begg,

... For the State.

The petitioner submits that he has been falsely implicated. There was a free fight between the two groups of people in which there were explosions of bombs and both the parties suffered injuries. Most of the co-accused persons allegedly involved in the incident have been granted anticipatory bail by a coordinate bench of this Court.

The State refers to the case diary including the injury reports and statements of witnesses recorded under Section 161 of the Code.

We have considered the material on record. In view of the nature of the allegations as well as facts and circumstances of the case and as also charge sheet has been submitted and keeping in view that co-accused persons similarly circumstanced with the petitioner have been granted

anticipatory bail by a coordinate Bench earlier, we are of the view that immediate custodial interrogation of the petitioner may not be required and he may be granted anticipatory bail.

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.

The application for anticipatory bail being CRM 2358 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)