

23.09.2021

CRM 2412 of 2021

Court No.28
Item No.159
(ALLOWED)

Ab

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 03.03.2021 in connection with Phoolbagan Police Station Case No. 52 of 2021 dated 28.02.2021 under Sections 341/323/379/511/114 of the Indian Penal Code;

And

In the matter of : **Pramod Chowdhury and another.**

...Petitioners

Mr. Mrinal Kanti Mukherjee.

...For the Petitioners

**Mr. P. K. Dutta,
Mr. Subrata Roy.**

... For the State

The Advocate-on-record of the petitioners undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Phoolbagan Police Station Case No. 52 of 2021 dated 28.02.2021 under Sections 341/323/379/511/114 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

It is ascertained from the submission made by the learned Advocate for the petitioners that Phoolbagan Police Station Case No. 52 of 2021 is an outcome of counter blast due to political rivalry and against the defacto complainant and others, Phoolbagan Police Station Case No. 51 of 2021 dated 26th February 2021 was registered. Except the allegation under Section 379 of the Indian Penal Code, all other offences are bailable in nature.

Learned Public Prosecutor in-Charge has raised objection against the prayer for anticipatory bail.

We have carefully perused the case diary. We do not find any reasons to refuse the prayer for anticipatory bail of the present petitioners.

Accordingly, we direct that 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 arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the Investigating Officer as and when called for.

The application for anticipatory bail being CRM 2412 of 2021 is, thus, **allowed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)