

06.08.2021
Item no. 56
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 2470 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 05.03.2021 in connection with Panrui Police Station Case No. 91 of 2020 dated 07.10.2020 under Sections 143/144/506/186/332/353/307/308 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act.

And

In the matter of : Biswajit Saha.

.....Petitioner.

Mr. Abdur Rakib, Advocate,

.....for the Petitioner.

Mr. Prasun Kr. Dutta, APP,

Mr. Santanu Deb Roy, Advocate,

.....for the State.

The petitioner is one of the several co-accused persons.

The petitioner says that the incident was a fight between two rival groups. There was hurling of bombs. Several people were injured but nobody suffered any serious injury.

We have seen the material in the case diary including medical reports. The petitioner is right.

Learned advocate for the prosecution admits that it was a fight between two groups resulting in minor injuries to certain persons.

Having regard to the nature and gravity of the allegation against the petitioner and having regard to the over all facts and circumstances of the case, we are inclined to allow the application for the petitioner so long as he co-operates with the Investigating Officer as we are told that investigation is yet to be completed.

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.

In case the petitioner fails 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 2470 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.)

