

19.08.2021

Court No.30

rpan /**301**

C.R.M. 2518 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Bikram Biswas & Another**

- Petitioners.

Mr. Arnab Chatterjee

... for the petitioners.

Mr. Rana Mukherjee,

Mr. Sandip Chakraborty

... for the State.

Apprehending arrest in connection with Gopalnagar Police Station Case 668 of 2020 dated 18.12.2020 under Sections 306/34 of the Indian Penal Code, the present application has been preferred.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the petitioner no.1 and the petitioner no.2 are aged about 19 years and 22 years respectively. They have been falsely implicated. The allegations levelled against them are unfounded and in the said conspectus, custodial interrogation is not necessary.

Mr. Chakraborty, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses as recorded under Sections 161 and 164 of the Code of Criminal Procedure. He further submits that investigation is still in progress.

Having heard the learned advocates and considering the materials in the case diary, the nature of accusations and the

extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Bikram Biswas** and **Krishna Sarkar** shall be released on bail upon furnishing a bond of ₹10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall not enter the jurisdiction of Gopalnagar Police Station, save and except for meeting the Officer-in-charge, Gopalnagar Police Station twice a week on and from 23rd August, 2021 until further orders. They shall also intimate the address where they would be residing to the Officer-in-Charge of the Gopalnagar Police Station.

The application for anticipatory bail, being CRM No.2518 of 2021 is, thus, disposed of.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)