

CRM No.2810 of 2020

18.02.21 In re: An application for anticipatory bail under Section 438 of the Code of  
(S.R.) Criminal Procedure filed in connection with **Chopra** Police Station Case  
Sl.118 **No.234 of 2018** dated **14.06.2018** under Sections  
Ct.28 **341/324/326/307/24** of the Indian Penal Code, 1860;

And

**In re: Enaj Md. @ Anaj Md. & Anr.**

**... petitioners.**

Mr. Rajiv Lochan Chakraborty

Mr. Deboprati Guha

Mr. P. Kundu

Ms. Anchita Sarkar

... for the petitioners.

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharyya

...for the State.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. No overt act has been attributed to them and as such, their custodial detention is not necessary.

Learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the injury report and the statement of an injured, namely, **Manjur Alam** recorded under Section 161 of the Code of Criminal Procedure.

Having heard the learned advocates and considering the materials in the case diary, *prima facie* it appears that no overt act has been attributed to the petitioner no.2 and as such, his prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner no.2, namely, **Talab Md. @ Md. Talib Hussain**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, 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.

However, there are specific allegations against the petitioner no.1 and in view thereof, we are not inclined to grant anticipatory bail to the petitioner no.1 and his prayer is refused.

The application for anticipatory bail being CRM No.2810 of 2020, is, accordingly, disposed of.

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

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**

