

18.08.2021
Item no.50.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2737 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 16.03.2021 in connection with Habibpur Police Station Case No.114 of 2020 Dated 6.4.2020 under Sections 143/341/379/427/353/307 188/269/270/271 of the Indian Penal Code

And

In the matter of : Darbari Murmu & Others

.....Petitioners.

Mr. Kalidas Sahafor the Petitioners.

Mr. Arijit Ganguly,
Mr. S. K. Danfor the State.

The charges are that the petitioners along with other co-accused persons were illegally fishing in a waterbody leased out by the Government to the complainant.

We have seen the material in the case diary including the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. We are told that some of the accused persons standing on the same footing have been apprehended and enlarged on bail by the learned Court below. Charge sheet has been submitted upon completion of investigation.

In view of the aforesaid and on an overall consideration of the material on record, we are of the view that immediate custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, 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 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 petitioners fail 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 C.R.M. No.2737 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.)