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04-08-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 2843 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal Police Station** Case No. **862 of 2019** dated **10.10.2019** under Sections **448/376/511/323/34** of the Indian Penal Code.

- A n d -

In the matter of : Rashid Ali & Ors.

.... Petitioners.

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Mr. K. Bagchi,
Mr. A. Sarkar,
Mr. D. Ghosh,

... For the Petitioners.

Mr. A. Gour,

... For the State.

It is submitted on behalf of the petitioners that the petitioner no. 3 has already been arrested and released on bail. Hence, the present application is not pressed in so far as the petitioner no. 3 is concerned.

The allegations are under Sections 448/376/511/323/34 of the Indian Penal Code. The petitioners say that the allegations have been made by the complainant since there are disputes between the families of the petitioners and the complainant.

The State produces the case diary which we have gone through. There is no major injury suffered by any of the victims. Charge sheet has been filed. No specific role has been assigned to the petitioner nos. 2 and 4. It is said that

the petitioner no. 1 with the assistance of the petitioner nos. 2, 3 and 4 committed the alleged mischief.

Having considered the material in the case diary as well as the nature and gravity of the offence that the petitioners have been charged with, we are of the view that the petitioners need not be taken into custody immediately.

Accordingly, in the event of arrest, the petitioner nos. 1, 2 and 4 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.

The application for anticipatory bail being CRM 2843 of 2021 is, thus, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)