

27.09.2021
Item no.56.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3203 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 7.4.2021 in connection with Taherpur Police Station Case No.22 of 2021 Dated 6.2.2021 under Sections 341/325/308/379/34 of the Indian Penal Code

And

In the matter of : Santu Mallick & Anr.

.....Petitioners.

Mr. Amanul Islam,
Mr. Sourav Mukherjeefor the Petitioners.

Mr. Ranabir Roychoudhury,
Mr. Sandip Chakraborty,
Mr. Mainak Guptafor the State.

The petitioners say that the incident was a result of property dispute. There was a skirmish between two groups. Nobody suffered any significant injury. The petitioners are ready, willing and prepared to cooperate with the Investigating Officer.

We have seen the material in the case diary. The injury report does not reveal any serious injury to the victims. We have also seen statements of the witnesses in the case diary.

On an overall assessment of the material on record and the facts and circumstances of the case and the nature and gravity of the allegation, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely Santu Mallick and Hudu @ Asish Mallick @ Asis Mollick 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.3203 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)