

18.05.2021

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allowed

C.R.M. No. 3649 of 2021
(via video conference)

In Re.: An application under Section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 25 of 2020 dated 14.01.2020 under Sections 302/120B of the Indian Penal Code.

And

In Re: Majanu Sk. @ Majnu Sk. & Ors. petitioners

Ms. Rajnandini Das

...for the petitioners

Mr. Arijit Ganguly

.... for the State

Learned Counsel appearing for the petitioners submits that the petitioners have been falsely implicated in the instant case and the persons, similarly placed with that of the present petitioners have been granted bail and/or anticipatory bail by co-ordinate Benches at different points of time.

Learned Counsel appearing for the State, however, opposes the prayer for anticipatory bail.

It is submitted that the petitioners are directly involved in the commission of offence. However, it has been fairly submitted that the petitioners who have been granted bail and/or anticipatory bail by co-ordinate Benches are similarly placed with that of the present petitioners.

In view of the indisputable fact that the present petitioners are similarly placed as that of the petitioners in CRM 7639 of 2020 (Binay Kar & Ors. vs. State of West Bengal), CRM 8640 of 2020 (Dipankar Chatterjee @ Dipankar Chattopadhyay vs. State of West Bengal) and in CRM 10366 of 2020 (Arup Sarkar vs. State of West Bengal) decided on 13.10.2020, 01.12.2020 and 22.03.2021 respectively, we allow this application for anticipatory bail.

Accordingly, we direct that 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall not leave the jurisdiction of Santipur Police Station without the permission of the jurisdictional Court.

With the aforesaid observations, this application for anticipatory bail 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.)

(Soumen Sen, J.)