

13.12.2021
Sl. No.35
akd
[ALLOWED]

C. R. M. 4205 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.06.2021 in connection with Amta Police Station Case No. 262 of 2019 dated 22.07.2019 under Sections 147/148/149/283/186/326/307/332/353 of the Indian Penal Code. (G.R. Case No.1615 of 2019)

And

In Re: ***Bikash Patra (Mintu) & Anr.***

... .. Petitioners

Mr. Biswajit Tiwari
Sk. Salim

... .. for the petitioners

Mr. N. P. Agarwala
Mr. Pratick Bose

... .. for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. We note that allegation of physical assault is not supported by medical evidence. In view of the aforesaid fact and as investigation is complete, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) *Bikash Patra (Mintu)* & (2) *Soumendranath Chakraborty @ Soumen Chakrabarty***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)