

735 27.07.2021
of Ct. No. 16
ct no. 28 SB

C.R.M. 4440 of 2021

In Re : An application for **anticipatory bail** under Section 438 of the Code of Criminal Procedure in connection with Kaliganj P.S. Case No. 18/2021 dated 11.01.2021 under sections 189/341/323/325/332/353/354/307/506/34 of the Indian Penal Code.

In Re : Sujoy Das alias Sujoy Das alias Sujoy kr. Das

Mr. Kusal Kumar Mukherjee For the Petitioner

Allowed

Mr. Saibal Bapuli
Mr. A. Bhattacharyya For the State

This matter is mentioned in the morning for urgent listing.

On the basis thereof this matter was taken up at 2 PM upon notice to the other side.

Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated and he is an innocent in the instant case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that police personnel on duty were assaulted. He also made available with the case diary along with injury report.

Having regard to the nature of the involvement of the petitioner in the commission of alleged offence and the injury report made available to this Court and also having regard to the incriminating material available against the petitioner is prima facie established as he was part of the crowd and the nature of extent to the involvement of the petitioner as revealed from the case diary produced before us and the nature of the injury alleged to have been sustained of the police person, we are of the opinion that custodial

interrogation of the petitioner may not be necessary and he may be released on anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousands only) with two sureties of like amount to the satisfaction of the arresting officer and co-operate with the investigation and meet the I.O. once in a week subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure 1973.

The application for anticipatory bail is, accordingly, allowed.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen , J.)

