

79 13.12.2021
(AD)
Court No.28
(Allowed)

**C.R.M. 4694 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Egra** P.S. Case No. **427 of 2020** dated **22/08/2020** under Sections **341/325/354/307/379/506/34** of the Indian Penal Code, 1860.

And

In the matter of: Sk. Andadul & Ors.

....petitioners.

Mr. Sabyasachi Banerjee
Mr. Srinjoy Sengupta

...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

Petitioners submit that they had lodged a criminal case against the family members of the de facto complainant alleging murder. As a counter blast, they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Petitioners do not appear to be the principal accused. We have considered the injury report also. Whether the petitioners intended to murder the victims is required to be assessed in the light of the facts and circumstances of the case during trial.

In this backdrop and the extent of complicity of the petitioners in the alleged crime, we are inclined to grant anticipatory bail to the petitioners.

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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 4694 of 2021 is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)