

03.12.2021
Item no.166
Court No.32
Avijit Mitra

C.R.M. 5039 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Sushanta Mishra

.... petitioner

Mr. Somnath Adak,
Ms. T. Mondal

....for the petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

..... for the State

Apprehending arrest in connection with Balurghat Police Station Case No.523 of 2020 dated 23.12.2020 under Sections 448/325/307/379/34 of the Indian Penal Code, the present application is filed praying for anticipatory bail.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not necessary, more so when, upon completion of investigation chargesheet has also been submitted.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sushanta Mishra**, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten thousand only) with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973

with further direction that the petitioner shall attend the learned trial court on all the dates, as specified for hearing.

The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 5039 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)