

07.12.2021  
Item no.182  
Court No.32  
Avijit Mitra

C.R.M. 5019 of 2021

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

And

**In Re : Asim Pramanik & ors.**

.... petitioners

Mr. Niladri Sekhar Ghosh,  
Ms. Sampurna Chatterjee

....for the petitioners

Mr. Abhra Mukherjee,  
Mr. Dipankar Mahata

..... for the State

Apprehending arrest in connection with Khanakul Police Station Case No.72 of 2021 dated 17.02.2021 under Sections 147/447/268/427/504/34 of the Indian Penal Code read with Section 9(B)(ii) of the Explosive Act and Sections 25/27 of the Arms Act, the present application has been preferred.

Mr. Ghosh, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. Allegations are omnibus in nature and no overt act has been attributed to the petitioners. In the said conspectus, custodial interrogation is not warranted.

Mr. Mukherjee, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the statement of the witnesses

and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Asim Pramanik, Sintu Singh and Bapan Samanta**, 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 petitioners shall meet the investigating officer once in a week on and from 14<sup>th</sup> December, 2021 till investigation is complete.

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

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

The application for anticipatory bail being C.R.M. 5019 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.)**

