

14.12.2021
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SB
Ct. No. 28

CRM 5386 of 2021
(via Video Conference)

In Re : - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No. 198 of 2021 dated 23.04..2021 under Sections 448/323/325/307/354/379/34 of the Indian Penal Code.

In the matter of : Ashok Pal & Anr.

Ms. Karabi Roy For the Petitioners

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan For the State

It is submitted on behalf of the petitioners that there was a dispute among family members over ancestral property. They have been falsely implicated in the instant case.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioners, as well as the nature of injuries which do not appear to be life threatening, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Under such circumstances, 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/- (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 conditions that the petitioners shall appear before the Court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi J.)