

24.09.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 5849 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **South Port** Police Station Case No. **82** of **2021** dated **27.07.2021** under Sections 324/114 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act and adding Section 326 of the Indian Penal Code, 1860.

And

In Re : Jagdeep Kumar @ Bhutali & Ors.

..... petitioners

Mr. Ayan Bhattacharya

Mr. Anand Kesari

Mr. Sekhar Mukherjee

.....for the petitioners

Mr. Noguive Ahmed

Ms. Trina Mitra

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. He draws the attention of the Court to the fact that, the petitioner no. 3 was arrested during the pendency of the present application and was granted bail by the Jurisdictional Court. The weapon causing the injury was recovered by the police.

Learned advocate appearing for the State opposes the prayer for grant of anticipatory bail.

Considering that the petitioner no. 3 (Suray Yadav @ Pakya Yadav) was arrested during the pendency of the present application, this application is treated as not pressed in respect of petitioner no. 3. Considering the fact that, the weapon causing injury was recovered by the police, we grant anticipatory bail to the petitioner nos. 1, 2 and 4 namely Jagdeep Kumar @ Bhutali, Krishnandu Ray @ Krishnendu Rai and Abhishek Kumar Gupta @ Sunny.

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 and on further conditions that the petitioners shall meet the investigating officer once in a fortnight till the conclusion of the investigation and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

