

16.09.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 5856 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Falta** Police Station Case No. **92** of **2021** dated **30.04.2021** under Sections 148/149/323/325/326/307/353/333/186/34 of the Indian Penal Code, 1860 and Section 25/27 of the Arms Act and Section 3/ 4 of the E.S. Act.

And

In Re : Lalit Mohan Mandal

..... petitioner

Mr. Kallol Kumar Basu

Md. Jannat Ul Firdous

Mr. Rajesh Naskar

.....for the petitioner

Mr. Avijit Ganguly

Mr. Avik Ghatak

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated in a police case. There was a mob of around 150 persons. The petitioner puts up a stall in the locality regularly. On the fateful day he was manning his stall at the locality.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure (Cr. P. C.) and the injury

report. He submits that, the petitioner is named in the First Information Report.

Learned advocate for the petitioner submits on instruction that six of the co-accused persons were granted bail.

Considering the facts and circumstances of the case, the injury report and the statement recorded under Section 161 of the Code of Criminal Procedure, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner shall meet the investigating officer once in a week until further orders 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.)

