

16.12.2021

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Allowed

**C.R.M. 6339 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chandrakona Police Station Case No. 279 of 2019 dated 13.08.2019 under Sections 153A/295A of the Indian Penal Code.

And

In Re : Kousik Das Bairagi @ Munna Bairagi petitioner

Mr. Mainak Gupta
Mr. Prasun Mukherjee
Mr. Sailen Naskar

.....for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Arani Bhattacharyya

....for the State

It is submitted by the learned Counsel appearing for the petitioner that the objectionable post was immediately deleted from the social media. He had no intention to hurt feelings of any community.

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

We have considered materials on record including the post in social media. Although content of the post cannot be appreciated, however, subsequent conduct of the petitioner to promptly delete the said post from social media as contended by him discloses his bonafide intentions.

Under such circumstances, 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/- (Rupees Ten Thousand Only), 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 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.)