

73 10.11.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 6813 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.10.2021 in connection with **Talpatighat Coastal** P.S. Case No. **26 of 2021** dated **05/05/2021** under Sections **448/354/354B/325/307/376/506/34** of the Indian Penal Code.

And

In the matter of: Uttam Gayen & Ors.

....petitioners.

Mr. Kallol Kumar Basu
Mr. Anindya Sunder Das
Md. Jannat Ul Firdous
Mr. Paramesh Chakraborty
Ms. Tithi Majumdar

...for the petitioners.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Nirupan Dhali

... for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there is a long standing civil dispute between the petitioners and the de facto complainant.

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 and to the injury report. In response to the query of the Court, he submits that the police filed charge sheet.

Considering the materials on record and considering the fact that there is prior civil suit and considering the fact that the police submitted charge sheet, we 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/- 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 condition that they shall appear before the jurisdictional Court on the dates fixed for trial and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 6813 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)