

25.11.2021
Court No.32
Item No. 141
Krishnendu
Allowed

**C.R.M. 7124 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;
And

In re: **Samir Roy @ Samir Kumar Roy & Anr.**
Petitioners

Mr. Arunava Ganguly

For the Petitioners

Mr. Rana Mukherjee, Id. A.P.P.
Mrs. Sujata Das

For the State

Apprehending arrest in connection with Bansdroni Police Station Case No. 183 of 2021 dated 05.10.2021 under sections 120B/506/307/34 of the Indian Penal Code, 1860 read with under sections 25(1-B)(a)/27 of the Arms Act, the present application has been preferred.

Mr. Ganguly, learned advocate appearing for the petitioners submits that their names do not feature in the F.I.R. and they have been falsely implicated. The allegations levelled against them are in the abstract and in view thereof, custodial interrogation of the petitioners is not necessary.

Mr. Mukherjee, learned advocate appearing for the State, upon instruction, submits that the petitioners herein are not wanted in the case. Let the written instruction, as produced, be kept on record.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted. As such, their prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners, namely, **Samir Roy @ Samir Kumar Roy and Tanmoy Shil**, shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with a further condition that the petitioners shall co-operate in the investigation and shall meet with the Investigating Officer, as and when called for.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 7124 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J)

(Tapabrata

Chakraborty, J)

