

21.12.2021
Item no.36.
Court No.28.
AB

(Via Video Conference)

CRM No. 8324 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Bamangola Police Station Case No.211 Dated 27.11.2021 under Sections 448/376/511/325 of the Indian Penal Code

And

In the matter of : Jiban Mirdha

.....Petitioner.

Ms. Minoti Gomes,
Mr. Kaushik Biswas for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Rita Dutta for the State.

It is submitted on behalf of the petitioner that there was a quarrel amongst neighbours and he has been falsely implicated in the instant case.

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

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner, we are of the view that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

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.

The application for anticipatory bail is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)