

45 23.12.2021
(AD)
Court No.29
(Allowed)

C.R.M. 8792 of 2021
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amherst Street** P.S. Case No. **268 of 2021** dated **07/12/2021** under Sections **323/324/354/509/506(II)/114/427** of the Indian Penal Code, 1860 (corresponding to G.R. Case No. 998 of 2021).

And

In the matter of: Sanjay Kumar Datta @ Sanjoy Kumar Datta & Ors.

....petitioners.

Mr. Aniruddha Mitra
Mr. Gaurav Purkayastha

...for the petitioners.

Mr. Swapan Banerjee
Ms. Sujata Das

...for the State.

Mr. Tirthankar Dhali
Ms. Swarnali Saha

... for the de facto complainant.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the incident occurred out of a property dispute. The petitioners also lodged a complaint against the de facto complainant.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure and to the injury report.

The de facto complainant is represented.

Considering the statement recorded under Section 164 of the Code of Criminal Procedure and the injury report and considering the gravity of the offence and the complicity of the petitioners therein and considering the fact that there are

property disputes between the private parties, 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 the petitioner nos.1 and 3 shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no.2 will co-operate with the investigation and that they shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8792 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)