

18.02.2021
Court No.28
rpan /120

C.R.M. 7039 of 2020
with
CRAN 1 of 2020
(Via Video Conference)

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

And

In Re : **Biswajit Ghosh & Others**

...Petitioners.

Mr. Atis Kumar Biswas,
Mr. J. N. Manna,
Mr. Amit Singh

....for the petitioners.

Ms. Sukanya Bhattacharyya,
Md. Kutubuddin

....for the State.

Leave is granted to the learned advocate-on-record of the petitioners to correct the cause title of the application.

Records reveal that by an order dated 22nd September, 2020, the application, being CRAN No. 1 of 2020 has already been disposed of.

Apprehending arrest in connection with Murutia Police Station case no.210 of 2020 dated 09.09.2020 under Sections 447/325/326/307/34 of the Indian Penal Code, the petitioners have filed the present application.

Mr. Biswas, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The incident occurred due to a family dispute between the petitioner no.1 and his brother. No overt act has been

attributed to the petitioners and as such, custodial detention of the petitioners is not necessary.

Md. Kutubuddin, learned advocate appearing for the State opposes the petitioners' prayer.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the injury report, we are of the opinion that the custodial detention of the petitioners is not warranted.

Accordingly, we allow the application and direct that in the event of arrest the petitioners, *viz.*, **1. Biswajit Ghosh, 2. Sagori Ghosh, 3. Indrajit Ghosh and 4. Chiranjit Ghosh** 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and a further condition that the petitioner nos.1, 3 and 4 shall meet with the Officer-in-charge of Murutia Police Station once in a week on and from 24th February, 2021 until further orders.

The application for anticipatory bail, being CRM 7039 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)