

11.02.2021
Court No.28
Item No. 120
Krishnendu
Allowed

C.R.M. 7968 of 2020

(Via video Conference)

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

And

In re: **Mator Ghosh**

Petitioner

Mr. Asraf Mandal

For the Petitioner

Mr. Prasun Kumar Datta, Id. A.P.P.

Mr. Santanu Deb Roy

For the State

Leave is granted to make necessary correction in the cause title as well as in the prayer portion of the application.

Apprehending arrest in connection with Kaliganj Police Station Case No. 235 of 2020 dated 01.06.2020 under sections 341/323/325/326/354/506/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The alleged incident occurred in between the members of the family. Upon completion of investigation, charge sheet has also been filed and as such, custodial detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the prayer for anticipatory bail and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the nature of allegations, injury report, the extent of complicity of the petitioner in the alleged offence and since upon investigation charge-sheet has also been filed, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, **Mator Ghosh**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 on further condition that the petitioner shall reside outside the jurisdiction of Kaliganj Police Station as well as Ketugram Police Station until further orders and the present order would be operative for a period of eight weeks from date.

The application for anticipatory bail, being CRM No. 7968 of 2020, is, thus, disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

