

23.02.2021
Court No.28
rpan / 129

C.R.M. 8383 of 2020
(Via Video Conference)

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

And

In Re : **Rakesh Rahaman @ Sk. Badsha & Others**
...Petitioners.

Mr. Saryati Datta
.....for the Petitioners.

Ms. Sujata Das
... for the State.

Apprehending arrest in connection with Nanoor P. S.
Case No. 87 of 2020 dated 04.08.2020 under Sections
341/325/307/34 of the Indian Penal Code, Sections 25/27 of
the Arms Act and Sections 3/ 4 of the Explosive Substances
Act, 1908, the application for anticipatory bail has been
preferred.

The learned advocate appearing for the petitioners
submits that the petitioners have been falsely implicated. No
overt act has been attributed to the petitioners. Upon
completion of investigation, charge-sheet has also been filed.
He further submits that the petitioners will abide by any
stringent condition that may be imposed by this Court.

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

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the medical reports, the statement of the injured person and since upon completion of investigation the charge-sheet has already been submitted, we are of the opinion that custodial interrogation of the petitioners is not warranted.

Accordingly, in the event of arrest the petitioners, *viz.* **1. Rakesh Rahaman @ Sk. Badsha, 2. Mir Mahibul Haque @ Mahibul Sk., 3. Asgar Ali @ Asgar Sk. and 4. Sk. Sher Ali @ Sher Ali**, shall be released on bail upon furnishing a bond of ₹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 petitioners shall stay outside the jurisdiction of the district of Birbhum, save and except for attending the trial court on the dates specified for hearing.

The petitioners shall also inform the Officer-in-Charge of Nanoor Police Station, the address where they would be residing.

With the aforesaid observations, the application for bail, being CRM No. 8383 of 2020, is 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.)

