

02.07.2021

Court No.30

rpan / **11**

CRM 8393 of 2020
(Via video Conference)

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

And

In Re : **Prashanto Dey & Others**

...Petitioners

Mr. Sujoy Sarkar,
Mr. Prasenjit Biswas
... for the Petitioners.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,
Mr. Apurba Kumar Datta
... for the State.

Apprehending arrest in connection with Narkeldanga P.S. Case No.167 of 2020 dated 25.06.2020 under Sections 307/147/148/149/34 of the Indian Penal Code, the petitioners have filed the present application.

Mr. Sarkar, learned advocate appearing for the petitioners, submits that the petitioners have been falsely implicated due to political grudge. The allegations levelled are omnibus in nature. In view thereof, custodial interrogation of the petitioners is not necessary.

Mr. Ghosh, learned advocate appearing for the State, opposes the petitioners' prayer and draws our attention to several documents in the case diary including the statements of witnesses, the injury report and the contents of the complaint.

We have heard advocates appearing for the parties and considered the materials in the case diary. *Prima facie*, the possibility of false implication of the petitioners owing to political

rivalry cannot be ruled out. We have perused the injury report and considering the nature of allegations, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case. As such, the petitioners' prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Prashanto Dey, 2. Sourav Ghosh, 3. Deepak Das, 4. Akash Chowrasia, 5. Sohan Singh, 6. Bablu Singh, 7. Vijay Kumar** and **8. Rahul Das** 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 with a further condition that the petitioners shall meet with the investigating officer once a week on and from 8th July, 2021 until further orders.

The application for anticipatory bail, being CRM No. 8393 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.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)