

09.02.2021

Item No.150

Ct.No.28

dc.

Allowed

C.R.M. 8451 of 2020

with

IA No. 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 : **Suman Biswas & Anr.**

... Petitioners.

Mr. Atis Kumar Biswas

... For the Petitioners.

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen

... For the State.

Apprehending arrest in connection with Tehatta P.S. Case No. 365 of 2020 dated 05.09.2020 under Sections 323/325/307/34 of the Indian Penal Code, the present application has been preferred.

Mr. Biswas, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There is no direct allegation against the petitioners. In view thereof, custodial detention of the petitioners is not necessary.

Mr. Ghosh, 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 custodial detention of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely 1. **Suman Biswas** and 2. **Aparna Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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.

The application for anticipatory bail, being CRM 8451 of 2020 and the connected application, being CRAN 1 of 2020, are, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)