

04.02.2021
Item no.104
Court No.28
Avijit Mitra

C.R.M. 10646 of 2020 (through video conference)

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

And

In Re : Smt. Gayatri Saha & anr.

.... petitioners

Mr. Soumya Subra Ray

....for the petitioners

Mr. Anwar Hossain,

Ms. Ratna Ghosh

..... for the State

Apprehending arrest in connection with Jadavpur Police Station Case No.89 of 2020 dated 20.11.2020 under Sections 341/506/354/114 of the Indian Penal Code the present application has been preferred.

Mr. Ray, learned advocate appearing for the petitioners submits that there was a civil dispute between the petitioners and the *de facto* complainant and the petitioners have been falsely implicated. No overt act has been attributed to the petitioners and as such custodial detention of the petitioners is not necessary.

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 extent of the complicity of the petitioners in the alleged offence,

we are of the opinion that custodial detention of the petitioners is not warranted.

Accordingly, we direct that in the event of arrest, the petitioners namely Smt. Gayatri Saha and Sri Suvendu Saha 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 C.R.M. 10646 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)