

CRM No.10662 of 2020

25.02.21 In re: An application for anticipatory bail under Section 438 of the Code of
(S.R.) Criminal Procedure filed in connection with **Garhbeta** Police Station Case
Sl.38 **No.230 of 2020** dated **08.07.2020** under Sections
Ct.28 **341/323/307/379/427/506/34** of the Indian Penal Code;
And

In re: Basudev Dey & Ors.

... petitioners.

Mr. Banibrata Dutta

... for the petitioners.

Mr. S.S. Imam

Mr. Arabinda Manna

...for the State.

Mr. Dutta, learned advocate appearing for the petitioners submits that there was a previous dispute between the petitioners and the *de facto* complainant. The petitioners have been falsely implicated and all the allegations levelled against the petitioners are in the abstract and there is no incriminating material against the petitioners. In view thereof, custodial interrogation of the petitioners is not necessary.

Mr. Imam, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the injury report and other documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Basudev Dey, Buddhadev Dey, Paritosh Bhandari and Ratan Ghosh** shall be released on bail upon furnishing a bond of Rs.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.

Accordingly, the application for anticipatory bail being CRM No.10662 of 2020, is allowed.

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.)