

11.01.2021
Court No.28
Rpan / 96

CRM 10703 of 2020
(Via video Conference)

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

And

In Re : **Hriday Barman & Another**
....Petitioners.

Mr. Kaushik Chaudhury,
Ms. Busra Khatoon
....For the Petitioners

Mr. Sanjoy Bardhan,
Ms. Manisha Sharma
... for the State

Apprehending arrest in connection with Balurghat P. S.
Case No. 491 of 2020 dated 09.12.2020 under Sections
411/414/188/224 of the Indian Penal Code read with Sections
21(C)/22(C)/23(C)/25/27A/28/29 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 and Section 11(1)(d)/(e)/(f)
of Prevention of Cruelty of the Animals Act, the petitioners
have filed the present application.

The learned advocate appearing for the petitioners
submits that the petitioners have been falsely implicated on
the basis of the statement of the co-accused and there are no
other incriminating materials still appearing against the
petitioners. Additionally, the petitioners submit that they are
willing to cooperate with the process of the investigation.

Mr. Bardhan, learned advocate appearing for the State
opposes the prayer for anticipatory bail and submits that the

investigation is at the initial stage and the case was registered only on 9th December, 2020.

We have heard the submissions of the learned advocates for both the parties and we are of the opinion that the petitioners have been *prima facie* able to overcome the rigours so associated with the Act. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer.

The petitioners shall meet the Investigating Officer of the case on and from 15th January, 2021 twice a week until further orders.

The aforesaid orders are subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

With the aforesaid observations, application for anticipatory bail, being CRM 10703 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)