

09.03.2021
Court No.28
rpan / 148

C.R.M. 10865 of 2020

(Via Video Conference)

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

And

In Re : **Asfal Biswas @ Vetu & Others**

- Petitioners

Mr. Prabir Majumder

... For the Petitioners

Mr. Saibal Bapuli,

Mr. Soumik Ganguly

... For the State

Apprehending arrest in connection with Chapra P.S. Case No. 311 of 2020 dated 03.09.2020 under Sections 25/27 of the Arms Act and Sections 3/4 of the Explosive Substances Act, the petitioners have filed the present application.

Mr. Majumder, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in a political dispute. Their names have been transpired on the basis of the statements of the co-accused persons. Some of the co-accused persons have also been enlarged on bail. In view thereof, custodial interrogation of the petitioners is not necessary.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail and on a query of this Court informs that no police officer had been injured.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations 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 warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Asfal Biswas @ Vetu, 2. Sahid Sk., 3. Alai Sk @ Alauddin Sk., 4. Rahul Sk, 5. Safi Sk @ Ajahar Sk, 6, Musad Sk., 7. Naju Sk, 8. Safiuddin Sk., 9. Khepa Sk @ Abdul Kadem Sk., 10. Safi Sk, 11. Anar @ Anarul Sk, 12. Raja Sk. @ Ajahar Sk, 13. Rahim Sk., 14. Khalil Sk, 15. Ismail Sk,** 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.

The application for anticipatory bail, being CRM No. 10865 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.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)