

26-03-2021
Item no.43
Subrata

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.10963 of 2020
Sekh Sajed @ Sekh Sajet & Ors.
-vs-
The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC**

Mr. Saket Sharma ...for the petitioners

Mr. Prasun Kumar Dutta
Mr. Subrata Royn ... for the State

Apprehending arrest in connection with Sagar P.S. Case No.90 of 2020 dated June 22 of 2020 under sections 452/188/332/353/325/326/307/354B/379/427/436/120B IPC, the present case under section 438 of CrPC has been preferred.

Appearing for as many as twenty-two petitioners, learned advocate submits that there was dispute regarding distribution of reliefs, and that the petitioners participated in that occasion when they have been falsely implicated in the alleged offences. Additionally, he submits that the antecedents of the petitioners are above board and accordingly on any condition the petitioners may be granted anticipatory bail.

Opposing the petitioners' prayer for bail, learned advocate for the State submits that the petitioners have exceeded their authority and violated the orders of the public servants.

We have perused the materials on record. Having regard to the materials appearing in the case diary produced by the State, we are of the opinion that the custodial detention of the petitioners may not be warranted in the facts and circumstances of the case.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners – namely **Sekh Sajed @ Sekh Sajet, Sekh Saddam, Mahadeb Kar, Sekh Muklesur, Sekh Sirajul, Sagar Debnath, Sekh Ansar, Sekh Sahil, Keshab Bor @ Keshab Bar, Suman Das, Balahari Das, Ramhari Patra, Tapan Das, Subhendu Patra, Santanu Sardar, Rajesh Sheet @ Rajesh Shit, Sekh Yasin @ Sk Iyasin, Sekh Jiyaaur @ Sekh Jiaul Haque, Kabita Das, Santosh Das, Arati Das and Sekh Ayub Ali** – 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 laid down in section 438(2) CrPC.

The application for anticipatory bail, being CRM No.10963 of 2020, is thus disposed of.

[Tirthankar Ghosh, J]

[Tapabrata Chakraborty, J]