

27.01.2021
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CRM 89 of 2021
(Through Video Conference)

Ratan Barman @ Jhunu & Ors. Petitioners
Vs.
The State of West Bengal ... Respondent

Mr. Hillol Saha Podder, Advocate
...for the Petitioners. Present in Court.

Mr. Ujjwal Luksom and
Ms. Namrata Das, Advocates
...for the State. Present in Court.

The present application has been filed for grant of pre-arrest bail to the petitioners. Though the petition has been filed by the five petitioners, on the last date of hearing i.e. 21.1.2021 when the case was taken up for hearing, the learned counsel for the petitioners fairly submitted that the petitioner Nos.1 and 2 against whom specific allegations are there in Sahebganj P.S. Case No.541 of 2020 dated 01.12.2020 registered under Sections 448/323/326/307/354/34 of the Indian Penal Code, will surrender before the court below. Thereafter, the prayer for grant of pre-arrest bail to the petitioner Nos.3 to 5 be considered as there are no specific allegations against them.

Today, the learned counsel for the petitioners has produced a copy of the order dated 22.01.2021 passed by the learned Additional Chief Judicial Magistrate, Dinhata in court whereby the petitioner Nos.1 and 2 have surrendered before the court below and they have been remanded into judicial custody till 04.02.2021.

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On the other hand, the learned counsel for the respondent submitted that the petitioner Nos.1 and 2 have surrendered before the court below and presently they are in judicial custody. As far as the petitioner Nos.3 to 5 are concerned, there are no specific allegations against them.

After hearing learned counsels for the parties and considering the aforesaid facts, in our opinion, the case for grant of pre-arrest bail to the petitioner Nos. 3 to 5, namely, Hari Das Barman, son of late Hari Mohan Barman, Debasish Barman, son of Dinesh Chandra Barman and Swapan Barman, son of Hari Das Barman, is made out. In case of arrest, the aforesaid petitioner Nos.3 to 5 shall be released on furnishing of bail bonds to the satisfaction of the arresting officer. In addition, the petitioner Nos.3 to 5 will abide by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 89 of 2021 is disposed of.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)