

21
04.02.2021
p.b./rrc

C.R.M. 186 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 470 of 2019 dated 24.06.2019 under Sections 332/354/379/387/506/120B/34 of the Indian Penal Code read with Sections 25(A)/27(1) of the Arms Act.

In the matter of : **Asit Raha & Ors.**

... **petitioners**

Mr. Debarshi Brahma

.....For the petitioners

Mr. Ujjwal Luksom
Mr. Biswarup Roy

.....For the State

Mr. Naba Kumar Paul

....For the de-facto complainant

The petitioners undertake to affirm and stamp the application as per the rules within 48 hours. The application is taken up on the basis of such undertaking.

Learned counsel for the State submits that there is no injury report in the records and that no Arms were recovered from the petitioners.

Upon hearing the contentions of the learned counsel appearing for the petitioners as well as the de-facto complainant, we are of the view that the application for anticipatory bail should be allowed. It is also to be noted that the F.I.R. is of 24th June, 2019 and the Stat has not taken any steps till date.

In view of the above facts, in the event, the petitioners are arrested. They shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties each of like amount to the satisfaction of the arresting officer. The petitioners will be subjected to Section 438(2) of the Code of Criminal Procedure and appear before the concerned police station as and when required.

CRM 186 of 2021 is allowed and disposed of in terms of the above.

(Md. Nizamuddin, J.)

(Moushumi Bhattacharya, J.)