

01.02.2022

Court No.32
rpan/20

C.R.M. (A) 93 of 2022

[Through Video Conferencing]

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

And

In re: **Ratan Halder & Others**

- Petitioners

Mr. D. Biswas,
Ms. Sanjukta Basu Mallick
... for the Petitioners.
Mr. Sudip Kumar
... for the State.

Apprehending arrest in connection with
English Bazar Police Station Case No.1657 of 2021 dated
29.11.2021 under Sections 341/323/326/354/506/34 of the
Indian Penal Code, the petitioners have filed the present
application.

The learned advocate appearing for the petitioners submits
that the petitioner no.1 and the *de facto* complainant are plumbers.
There was a dispute between them pertaining to share of money
and the petitioners have all been falsely implicated. The petitioner
nos.2 and 3 are the brother and the mother respectively of the
petitioner no.1. In the said conspectus, the petitioners may be
granted anticipatory bail.

The learned advocate appearing for the State opposes the
petitioners' prayer and draws our attention to the statements of
the witnesses as well as the injury report.

Having heard the learned advocates appearing for the
respective parties and considering the materials in the case diary,
the nature of accusations, the nature of injury and the extent of

complicity of the petitioners, we are of the opinion that their custodial interrogation is not warranted. As such, their prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners, namely, **Ratan Halder, Ranjit Halder @ Khudu** and **Kanchan Halder @ Kanchani Halder** 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 with a further condition that the petitioner no.1 shall meet with the Investigating Officer of the case once a fortnight till investigation is complete.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 93 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)