

CRM(A) No.454 of 2022

Via video conference

01.03.22

(S.R.)

Sl.52

Ct.32

Allowed

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raiganj** Police Station Case No.354 of 2020 dated 04/05/2020 under Sections 448/427/506/341/307 of the Indian Penal Code;

And

In re: Naresh Sahani @ Boya

... petitioner.

Mr. Avik Ghatak

Mr. Saibal Krishna Dasgupta

... for the petitioner.

Mr. Prasun Kumar Dutta, Ld. APP

Mr. Subrato Roy

...for the State.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

From the case diary, we do not find any seizure of firearm and no injury report. Bearing in mind, the nature of accusations in the light of the submissions of the respective parties and in view of the fact that upon completion of investigation charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest the petitioner will be released on bail upon furnishing a bond of Rs.10,000/- 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 shall attend the learned court below on all the dates, as specified for hearing.

It is further directed that the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply

with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail being CRM(A) No.454 of 2022 is, accordingly, 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.)