

CRM (A) 604 of 2022
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Sapan Mandal & Ors.**

..... petitioners

Mr. Amitabha Karmakar

.....For the petitioners

Mr. S. S. Imam

Mr. R. Jana

.....For the State

Apprehending arrest in connection with Baishnabnagar Police Station Case No. 51/2020 dated 30.01.2021 under Sections 341/326/308/506/34 of the Indian Penal Code, the present application has been preferred.

Heard the learned advocates appearing for the respective parties.

Considering the materials in the case diary including the injury report and bearing in mind the nature of accusations in the light of the submissions made by 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 petitioners is not necessary moreso when it appears that co-accused persons similarly situated with the petitioners, had already been granted anticipatory bail by a coordinate Bench of this Court.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Sapan Mandal,**

Asit Mandal, Lalchand Mandal and **Fulchand Mandal** 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.

It is further directed that the petitioners shall not tamper with the evidence and/or intimidate the witnesses. They shall also attend learned Court below on all the dates, as specified for hearing.

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) 604 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.)