

CRM No.3072 of 2021

Via video conference

07.01.22

(S.R.)

Sl.03

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Singur** Police Station Case No.09 of 2021 dated 12/01/2021 under Sections 447/427/323/325/326/307/354/354B/379/504/506 of the Indian Penal Code;

And

In re: Asit Das & Anr.

... petitioners.

Mr. Ujjal Ray

... for the petitioners.

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

...for the State.

Mr. Ray, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in view of previous enmity. The allegations are *omnibus* in nature. Out of 16 accused persons 10 have already been granted anticipatory bail. Let the orders, as produced, be kept on record. He further submits that upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation is not warranted.

Mr. Dan, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary including the statements of the witnesses and the injury report.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Asit Das and 2. Upen Dey** will 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 intimidate the witnesses or tamper with evidence in any manner whatsoever and shall attend the learned trial court on all the dates specified for hearing.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel their bail without any further reference to this Court.

The application for anticipatory bail being CRM No.3072 of 2021 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.)