

17.03. 2022

Court No.32
rpan / **117**

CRM 7702 of 2021

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

And

In Re.: **Sk Hena @ Hena & Others**

- Petitioners

Mr. Kalidas Saha,

Ms. Merina Hazra

... for the Petitioners.

Mr. Narayan Prasad Agarwal,

Mr. Saryati Datta

... for the State.

Apprehending arrest in connection with Ratua Police Station Case No.255 of 2020 dated 30.05.2020 under Sections 341/325/448/326/427/34 of the Indian Penal Code, 1860, the petitioners have filed the present application.

Heard the learned advocates appearing for the respective parties. Considering the materials in the case diary including the statements of the witnesses and the injury reports and bearing in mind the nature of accusations in the light of the submissions made by the parties and in view of the fact that upon completion of investigation chargesheet has already been submitted, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely, **1. Sk Hena @ Hena, 2. Sk Jahangir, 3. Sk Salam, 4. Sk Rahul and 5. Sk Jahur** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 also attend the trial court on 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 7702 of 2021 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.)