

CMC No. 1839/19
Present : Md. S. Rashidi

Order No. 2 dated : 30.07.2019

The instant application u/s. 438 Cr.P.C. filed by the petitioners 1. Dinesh Ghosh, 2.Smt. Mukti Chowdhury Ghosh & 3. Sumanta Ghosh in c/w Deganga P.S. case no. 294/19 dt. 8.6.19 u/s. 323/325/147/ 148/448/120B/449/379/34 IPC is taken up for hearing and order.

Ld.P.P. is present.

Heard Ld. advocate for the accused/petitioners and Ld. P.P. in-charge.

Ld. advocate for the the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. The dispute between the parties has been amicably settled. Therefore, he prays for bail of the petitioners on any condition.

It is submitted by Ld. advocate for the accused that no bail petition is pending before or disposed of by any upper forum or rejection of bail application by higher forum.

Ld.P.P. in-charge Mr. P.K. Moulick raises objection .

Considered. Perused the CD,LCR and materials therein. I find that this is a case u/sec. 379 IPC along with other sections. It has been alleged that there has been property dispute in between the parties which has been settled amicably between them. Considering the facts and circumstances of the case as well as materials in the CD, I do not find any need of custodial interrogation of the petitioners for the purpose of investigation. Therefore, prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners shall be released on bail on furnishing bond of Rs.4,000/- each with two sureties of Rs. 2,000/- each subject to the satisfaction of Arresting Officer and to comply with the provision as laid down u/s. 438(2) Cr.P.C.

The instant CMC is, thus, disposed of.

LCR be returned along with a copy of the order.

Sessions Judge, North 24 Pgs .

Dictd. & Corrected by me,

Sessions Judge , North 24 Pgs.