

(2020) 06 CAL CK 0100
In the Calcutta High Court

Case No : Criminal Misc. Case (Bail Application) (CRM) No. 4151 Of
2020, Criminal Application No. 2354 Of 2020

Mamit Sagari @ Samit Sagari & Anr.

APPELLANT

Vs

State Of West Bengal

RESPONDENT

Date of Decision : 19-06-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 06 CAL CK 0100

Hon'ble Judges : Sanjib Banerjee, J; Aniruddha Roy, J

Bench : Division Bench

Advocate : Atis Kumar Biswas, Prasun Dutta, Tanmoy Kr. Ghosh, Arindam Sen

Final Decision : Disposed Of

Judgement

The petitioners undertake to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The

petition is taken up through video conference on the basis of such undertaking.

The petitioners make out that a pure civil dispute as to a property has resulted in a criminal case being filed.

The State submits that the charge is that the petitioners forcibly took the thumb impression of the complainant's mother who is physically and

otherwise challenged.

Considering the nature of the charge, the custodial interrogation of the petitioners may not be necessary. However, the petitioners will remain

restrained from dealing with or disposing of or alienating or creating any third party right in respect of the concerned property till the disposal of the

criminal matter. The petitioners will also cooperate in the investigation and report to the investigating officer as and when called.

Subject to above, in the event of arrest, the petitioners will be granted bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand) each together

with personal release bonds of equivalent value each to the satisfaction of the arresting officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 4151 of 2020 and CRAN 2354 of 2020 are disposed of.