

25.10.2021
07 TO 09
Ct. No. 08
**SUBRATA/
KAUSHIK**
OP

C.R.M. 6826 of 2021
(Kailash Vijayvargiya vs. State of West Bengal)
with
C.R.M. 6827 of 2021
(Jisnu Basu vs. State of West Bengal)
with
C.R.M. 6828 of 2021
(Pradeep Joshi @ NG Joshi vs. State of West Bengal)
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.10.2021 in connection with Bhawanipore Police Station Case No. 221 of 2021 dated 09.10.2021 under Sections 376D/506(ii)/120B of the Indian Penal Code (G.R. Case No. 2913 of 2021).

Mr. P.S. Patwalia, Sr. Adv.
Mr. Guru Krishna Kumar
Mr. Kallol Mondal
Mr. Vipul Kundalia
Mr. Ajay Chabey
Mr. Rajdeep Majumder
Mr. Amit Mishra
Mr. Debu Chowdhury
Mr. Lokenath Chatterjee
Mr. Mayukh Mukherjee
Mr. Pritam Roy
Ms. Arushi Rathore
Ms. Kanika Sehgal
Mr. Arijit Bakshi.....for the petitioners

Mr. Swapan Banerjee
Mr. Prasun Kr. Dutta
Mr. Madhusudan Sur
Mr. Sanjay Bardhan
Mr. Imtiaz Ahmed
Mr. Suman Dey
Mr. Tarun Kr. Chatterjee.....for the State

Mr. Bikash Ranjan Bhattacharya
Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Ms. Snigdha Saha.....for the de facto complainant

Three petitions for anticipatory bails are taken up for consideration subsequent to the order dated October 14, 2021.

Learned senior advocate appearing for the petitioners submits that, the special leave petition directed against the order of the High Court passed in revisional jurisdiction is yet to be heard. He submits that, the special leave petition is pending in the list of the Hon'ble Supreme Court and is likely to be taken up today. Consequently, the matter may be taken up two days hereafter.

Learned senior advocate appearing for the de-facto complainant submits that, there was no urgency in any of the three petitions. All the three petitioners are influential persons. The de-facto complainant is being threatened regularly. He submits that, the pendency of the special leave petition before the Hon'ble Supreme Court is no ground for an adjournment. He submits that, the applications for anticipatory bail may be considered on merit.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary. He submits that, subsequent to October 14, 2021, the de-facto complainant underwent a medical examination. Her statement under Section 161 of the Code of Criminal Procedure (Cr. P. C.) was recorded. She also recorded a statement under Section 164 of the Cr. P. C. He submits that, the special leave petition is pending and in view of such pendency, he submits that it would be appropriate to adjourn the applications for two days.

Considering the facts and circumstances of the case and considering the fact that the special leave petition pending before the Hon'ble Supreme Court will have a material bearing on the three applications for anticipatory bail, we deem it appropriate to direct listing of the three applications for anticipatory bail on October 27, 2021.

The interim protection granted on October 14, 2021 will continue till November 1, 2021 or until further orders, whichever is earlier.

(Debangsu Basak, J.)

(Rabindranath Samanta, J.)