

September 23, 2020.
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Item No.42/DL
Ct. No.08

C.R.M. No. 6613 of 2020
with

CRAN No. 1 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 843 of 2019 dated 09.11.2019 under Sections 448/323/376/511 of the Indian Penal Code.

And

In the matter of: Sabbir Sk. @ Sabir Sk.

...Petitioner.

Mr. Somnath Adhikary

...for the petitioner

Mrs. Faria Hossain

Mr. Pratick Bose

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Accordingly, the application being CRAN No. 1 of 2020 stands disposed of.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in connection with this case.

The prayer for anticipatory bail is opposed by the learned counsel appearing on behalf of the State.

Having considered the materials on record and the statement of the victim which prima facie does not disclose any offence under

Section 375 of the Indian Penal Code we are of the opinion that the custodial interrogation of the petitioner is not necessary. Under such circumstances, prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest, the petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- with two sureties each of like amount, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station. Since the charge-sheet has already been submitted, the petitioner must attend the trial on every date fixed and any unexplained absence of the petitioner to attend the court will entitle the trial court to cancel the bail without reference to this Court.

The petitioner will also abide by the conditions laid down in Section 438(2) of the Code.

CRM No. 6613 of 2020 is allowed accordingly.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J)