

30.09.2020

Sl. No.22

Ct-11

BM

CRM 7326 of 2020

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I.A No.:CRAN/1/2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Amdanga Police Station case No.98 of 2020 dated 24.02.2020 under Sections 306 of the Indian Penal Code.

And

**In the matter of : Choto @ Chabdar Hossain @ Sabder Hossain @
Sabdar Hossain**

... Petitioner

Mr. Sumanta Chakraborty ... for the petitioner

Mr. S. S. Imam

Mr. Subrato Roy ... for the State

The learned advocate for the petitioner submits that the present petitioner is innocent of the charges yet he has been implicated in the case.

Learned advocate for the State draws the attention of this Court to the statements under Section 164 of the Code of Criminal Procedure of the lady who survived after consuming poison.

On query, the learned advocate for the State is unable to show any material appearing against the present petitioner in the statement under Section 164 of the Code of Criminal Procedure.

We have taken into account the other materials on record and is of the opinion that the custodial detention of the petitioner may not be necessary for the progress of the investigation of the case.

Accordingly, prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner 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 of the case, subject to the condition not to intimidate the witnesses.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being CRM 7326 of 2020 and I.A. No.: CRAN/1/2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)