

14.10.2020
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CRM 7674 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 227 of 2020 dated 22.06.2020 under Sections 379/411/413/414 of the Indian Penal Code.

And

In Re: Saheb Ali

... ... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

..... for the petitioner

Mr. Rana Mukherjee,
Mr. Santanu Chatterjee

..... for the State

The advocate-on-record for the petitioner undertakes to affirm and properly 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.

Mr. Karmakar, learned Advocate appearing for the petitioner submits that the petitioner is falsely implicated in the present case only on the basis of submission of the co-accused. He further contended that nothing has been recovered from the petitioner's possession. Therefore, the petitioner should be granted anticipatory bail.

Mr. Chatterjee, learned Advocate appearing for the State submits that though nothing has been recovered from the petitioner's possession but his name appearing in the F.I.R. Mr. Chatterjee also produces the case diary.

Considering the contents of the case diary and the submission as advanced by the learned Advocate for the petitioner we are of the considered view, the petitioner should be granted anticipatory bail.

Accordingly, the prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

Thus, CRM 7674 of 2020 is disposed of.

(Aniruddha Roy, J.)

(Samapti Chatterjee, J.)