

04.12.2020
tkm/ct 3
sl no. 48

**C.R.M. 8030 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with RPF/POST/Barrackpore C/ no. 43 dated 12.8.2020 under section 143 of the Railway Act

Allowed

and

In Re : Uttam Saha

..... petitioner

Mr. N S Ghosh

Mr. M Ali Naskar

..... for the petitioner

Mr. Amajit De

..... for the railway authority

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case.

Learned lawyer for the department submits that the petitioner was dealing in illegal railway tickets by using his personal electronic mail account.

We have considered the materials on record. We note that the relevant electronic data and/or papers are already in the control and dominion of the investigating agency.

In view of the aforesaid fact and the nature of allegation, we are of the opinion custodial interrogation of the petitioner is not necessary but he requires to co-operate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973

and on further condition that while on bail petitioner shall meet the investigating officer once in a week until further orders.

The application being CRM 8030 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)