

08.12.2020
Sl. No.41
akd
[ALLOWED]

C. R. M. 9810 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 26.11.2020 in connection with New Town Police Station Case No. 219 of 2020 dated 17.11.2020 under Sections 341/326/354/307/34 of the Indian Penal Code.

And

In Re: ***Dr. Md. Mehedi Hasan @ Mehendi Hasan***

... .. Petitioner

Mr. Antarikhya Basu .. Advocate

Ms. Madhumita Basak .. Advocate

... .. for the petitioner

Mr. Malay Bhattacharyya .. Advocate

Mr. Pinaki Brata Ghosh .. Advocate

... .. for the de-facto complainant

Mr. Arijit Ganguly .. Advocate

Mr. Sanjib Kumar Dan .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he was not present at the place of occurrence and is not the principal assailant.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the principal assailant assaulted the victim at the behest of the petitioner.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioner in the alleged crime, we are of the opinion that custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Dr. Md. Mehedi Hasan @ Mehendi Hasan***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)