

12-01-2021
Subha
Item no.78
Bail Allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 41 of 2021

Md. Rizwan @ Rizwan Ansary
-vs-
The State of West Bengal
(Via Video conference)

In Re: An application for anticipatory bail under Section 438 CrPC apprehending arrest in connection with Balarampur P. S. Case No.105 of 2019 dated August 15, 2019 under Sections 413/414 of the Indian Penal Code (G. R. Case No. 1082 of 2019).

Mr. Abdur Rakib
Ms. Namita Basu

...for the petitioner.

Mr. Abhra Mukherjee
Mr. Gautam Banerjee

... for the State.

Mr. Rakib, learned advocate appearing for the petitioner submits that the petitioner is a businessman and he has been falsely implicated in the instant case.

Additionally, he submits that the investigation of the case has concluded and charge-sheet has already been submitted.

Learned advocate appearing for the State opposes the prayer for anticipatory bail of the petitioner and submits that the name of the petitioner transpires only in the statement of co-accused persons and there are no independent witnesses who have expressed regarding the complicity of the present petitioner in the alleged offence.

Having regard to the fact that the investigation of the case has been completed and the charge-sheet has already been

submitted, we are of the opinion that the custodial interrogation of the petitioner is unwarranted in connection with the instant case.

Accordingly, the prayer for anticipatory bail of the present petitioner is allowed.

As such, in the event of arrest, the petitioner shall be released on bail, upon furnishing bond of Rs.10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the arresting officer and on condition that he shall not tamper with the evidence of the case or intimidate the witnesses.

This order of anticipatory bail shall remain in force till February 8, 2021. The petitioner shall meet the Officer-in-Charge, Balarampur Police Station once a week on and from 15th January, 2021 until further orders and shall not leave the jurisdiction of Balarampur Police Station without prior approval of the learned Chief Judicial Magistrate, Purulia.

The aforesaid order of anticipatory bail are subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

As such, the prayer for anticipatory bail of the petitioner is allowed and accordingly, application for anticipatory bail being CRM 41 of 2021 is disposed of.

[Tirthankar Ghosh, J]

[Tapabrata Chakraborty, J]

