

21.01.2021
Court No.28
Item No. 150
Krishnendu
ALLOWED

C.R.M. 268 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Alamgir Khan & Ors.**

.....Petitioners

Mr. Atis Kumar Biswas
Mr. Amit Singh

....For the Petitioners

Mr. Abhra Mukherjee
Mr. Dipankar Mahata

.....For the State

Apprehending arrest in connection with Kotwali Police Station Case No. 948 of 2020 dated 09.12.2020 under sections 365/34 of the Indian Penal Code, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The de facto complainant used to collect money from the petitioners and others, who are poor cultivators, stating that they would be provided appropriate job. In view of the nature of allegations, the custodial detention of the petitioners is not necessary.

The learned advocate appearing for the State opposes the prayer for anticipatory bail and draws our attention to the statement of the complainant recorded under section 164 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, the extent of complicity of the petitioners in the alleged offence and the 164 statement of the complainant, we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioners, namely, **Alamgir Khan, Anchhur Mandal @ Anasur and Nasir Uddin Mandal @ Nasiruddin Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet with the Investigating Officer of the case once a week on and from 25th January, 2021 until further orders.

The application for anticipatory bail, being CRM No. 268 of 2021, is, thus, disposed of.

**(Tirthankar Ghosh, J.)
Chakraborty, J.)**

(Tapabrata

