

28.01.2021
Item no.187
Court No.28
Avijit Mitra

C.R.M. 367 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Swarupnagar Police Station Case No.519 of 2020 dated 14.10.2020 under Sections 498A/406/307/354B/34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act;

And

In Re : Amir Hossain Sardar

.... petitioner

Mr. Satadru Lahiri,
Mr. Safdar Azam

....for the petitioner

Mr. Bidyut Kumar Roy,
Ms. Rita Datta

..... for the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and the case has been initiated on the basis of an order passed in 156(3) application filed by the *de facto* complainant. There are no incriminating materials on record against the petitioner and in view thereof, his custodial detention is not warranted.

Learned advocate appearing for the State opposes the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 petitioner shall meet with the investigating officer once a week on and from 8th February, 2021 until further orders.

The application being C.R.M. 367 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)