

27.04.2021
Court No.28
rpan / **278**

CRM 989 of 2021
(Via video Conference)

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

And

In Re : **Anwar Hossain**

- Petitioner

Mr. Iqbal Hussain

... For the Petitioner.

Mr. Sudip Ghosh,

Mr. Apurba Kumar Datta

... For the State

Apprehending arrest in connection with Ekbalpore Police Station Case No. 381 of 2019 dated 06.10.2019 under Sections 467/468/471/420/506/120B of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against him are absolutely unfounded. The complaint has been lodged by his younger brother and it would be explicit that the dispute is civil in nature. In the said conspectus, custodial interrogation of the petitioner is not warranted.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that 41A was issued and he should comply with the same.

Having heard the learned advocates and considering the materials in the case diary, the nature of the dispute and the extent of complicity of the petitioner, we are of the opinion that custodial detention of the petitioner is not warranted in the facts

and circumstances. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Anwar Hossain**, shall be released on bail upon furnishing a bond of `10,000/- 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 of this case once a week on and from 3rd May, 2021 until further orders.

With the aforesaid observations, the application for anticipatory bail, being CRM No.989 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)