

10.08.2021

(Via Video Conference)

Court No.28
Item No.267
(ALLOWED)

CRM 991 of 2021

Ab

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 19.01.2021 in connection with Purulia (T) Police Station Case No. 33 of 2020 dated 21.03.2020 under Section 379 of the Indian Penal Code;

And

In the matter of : **Sk. Hassan Ali.**

...Petitioner

Mr. Arunabha Jana.

...For the Petitioner

**Mr. Goutam Wilson,
Mr. N. P. Agarwala.**

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Purulia (T) Police Station Case No. 33 of 2020 under Section 379 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The petitioner has been implicated in connection with the instant case solely on the basis of the statement of the co-accused. The instant case is initiated on the allegation that a Bolero car was stolen in the night of 21st/22nd March 2020 by unknown miscreants. There is no recovery of the stolen car as of now.

We have perused the statement of the co-accused recorded under Section 161 of the Code of Criminal Procedure disclosing the name of the petitioner. Since the said statement is not admissible in evidence at this stage, we do not find that the custodial interrogation

of the petitioner is at all necessary. The prayer for anticipatory bail is thus allowed.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station and on conditions as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall meet the Investigating Officer once in a week until further order.

The application for anticipatory bail, being CRM 991 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)