

CRM No.1025 of 2021  
(via video conference)

27.04.21  
(S.R.)  
Sl.297  
Ct.28

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Salar Police Station Case No.41 of 2020 dated 27.02.2020 under Sections 399/402 of the Indian Penal Code (G.R. Case No.822 of 2020);

And

**In re: Azad Sk. & Anr.**

**... petitioners.**

Mr. Arindam Roy

... for the petitioners.

Mr. Sandip Chakraborty

...for the State.

Heard the learned advocates appearing for the respective parties. On perusal of the case diary, it reflects that charge-sheet has already been submitted and eight witnesses have been relied upon by the prosecution in order to prove its case. All the eight witnesses relied upon belong to the police department. The materials so collected against the present petitioners do not, *prima facie*, inspire confidence for their custodial interrogation/detention at this stage after the investigation is over. As such, their prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Azad Sk. and Raj 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.

This order of anticipatory bail will remain in force for a period of eight weeks from date within which the petitioners shall appear before the jurisdictional Court and pray for regular bail.

With the above observations, the application for anticipatory bail being CRM No.1025 of 2021 is allowed.

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.)**