

CRM No.1031 of 2021
(via video conference)

27.04.21
(S.R.)
Sl.301
Ct.28

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No.988 of 2019 dated 18.11.2019 under Sections 341/323/325/307/34 of the Indian Penal Code;

And

In re: Atifur Rahaman @ Atikul & Anr.

... petitioners.

Mr. Soupal Chatterjee

... for the petitioners.

Mr. B.K. Roy

Ms. Kumkum Mitra

...for the State.

The learned advocate appearing for the petitioners submits that the petitioners are innocent. There is no incriminating material against the petitioners and they have been falsely implicated and in view thereof, custodial interrogation of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary including the injury report, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Atifur Rahaman @ Atikul and Ajida Bibi @ Suki Bibi** 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 and on a further condition that the petitioner no.1 shall meet with the

investigating officer once in a week on and from 3rd May, 2021 until further orders.

Accordingly, the application for anticipatory bail being CRM No.1031 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.)