

18.05.2021
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allowed

C.R.M. No. 1063 of 2021
(via video conference)

In Re.: An application under Section 438 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 527 of 2017 dated 02.10.2017 under Sections 379/411/413/34 of the Indian Penal Code.

And

In Re: Paresh Ghosh petitioner

Mr. Arup Kumar Bhowmick
...for the petitioner

Mr. P.K. Dutta
Mr. Pradipta Ganguly
.... for the State

Considering the materials available before us and the extent of involvement of the petitioner in the commission of alleged offence, we are of the opinion that custodial interrogation of the petitioner is not required as the charge-sheet has already been filed on 31st December, 2017.

Accordingly, we direct that 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Trial court is directed to complete the process of framing of charges at the earliest and proceed with the matter in accordance with law.

Petitioner is directed to appear before the trial court on every date of hearing unless prevented by reasonable cause failing which the trial court shall be at liberty to cancel his bail without further reference to this court.

With the aforesaid observations, this application for anticipatory bail is, thus, allowed.

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

(Suvra Ghosh, J.)

(Soumen Sen, J.)