

03.08.2021

(Via Video Conference)

Court No.28
Item No.350
(ALLOWED)

CRM 1223 of 2021

Ab/Saswata

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 27.01.2021 in connection with Bizpore Police Station case (F.I.R) No. 484 of 2020 dated 18.11.2020, under Sections 364/120B of the Indian Penal Code;

And

In the matter of : **Amit Mondal**

...Petitioner

Ms. Tripti Pandey

...For the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Rudradeepta Nandy

... 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 Bizpore Police Station case (F.I.R) No. 484 of 2020 under Sections 364/120B of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

According to the petitioner, he has been falsely implicated in connection with the instant case by his driver who had an illicit relation with his wife. The entire allegation is manufactured and concocted having no semblance of truth in it.

The State opposes the prayer for anticipatory bail and relies upon the statement of the complainant/victim recorded under Section 164 of the Code of Criminal Procedure.

After perusing the statement so recorded and meticulously

examining the same, we do not think that the custodial interrogation of the petitioner is necessary.

Hence the prayer for anticipatory bail of the petitioner is allowed.

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, one of whom must be local, 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 and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight or as and when called for.

CRM 1223 of 2021 is, thus, **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)