

28.07.2021
Item no.44.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1772 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 11.02.2021 in connection with Kaliachak Police Station Case No.424 of 2020 Dated 03.06.2020 under Sections 489B/489C/120B of the Indian Penal Code

And

In the matter of : Md. Hazarat Ali @ Hazarat Sheikh

.....Petitioner.

Ms. Minoti Gomes,
Mr. Kaushik Biswas,
Mr. Partha Sarathi Dasfor the Petitioner.

Mr. Saibal Bapuli, Ld. APP,
Ms. Sayanti Santrafor the State.

The petitioner has been charged with offence punishable under Sections 489B/489C/120B of the Indian Penal Code.

Learned Counsel for the petitioner submits that he has been implicated on the basis of statement made by a co-accused. No counterfeit currency has been recovered from him.

Learned Additional Public Prosecutor opposes the prayer for bail. He, however, does not dispute the factual position that no recovery was made from the petitioner and that

the petitioner has been implicated on the basis of statement made by the co-accused.

The investigation is over and the charge sheet has been submitted.

In the above facts and circumstances of the case and having regard to the nature and gravity of the offence that the petitioner has been charged with, we are of the view that immediate custodial interrogation of the petitioner may not be necessary. The petitioner is entitled to anticipatory bail.

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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being C.R.M. No.1772 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)