

08.10.2021
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Allowed

CRM 2389 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Khandaghosh P.S Case No. 21 of 2021 dated 29.01.2021 under Sections 504/505(1)(b)/509 of the Indian Penal Code.

And

In the matter of: Soumitra Khan
... Petitioner

Ms. Koel Mukherjee
Mr. Mahfuz Morshed
.... For the Petitioner

Mr. Rudradipta Nandi For the State

Learned counsel appearing for the petitioner submits that the petitioner is innocent and due to political rivalry he has been falsely implicated in this case.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and bearing in mind the extent of complicity of the petitioner in the commission of alleged offence, as revealed from the case diary, we are of the view that although custodial interrogation of the petitioner may not be necessary in the facts of the case, but his movement requires to be restricted through some stringent conditions.

Accordingly, we direct that in the event of arrest of the petitioner, he shall be enlarged on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer and also be 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 I.O once in fortnight.

The application for anticipatory bail is, thus allowed.

CRM 2389 of 2021 is thus disposed of.

All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this court.

(Rabindranath Samanta,J)

(Soumen Sen,J.)