

30.06.2021
Court No.30
Item No. 19
Krishnendu
Allowed

**CRM 2855 of 2020
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re : **Satyendra Kumar**

Petitioner

Mr. Dipankar Aditya

Mr. Amitava Shukla

For the Petitioner

Mr. Swapan Banerjee

Mr. Suman De

For the State

Apprehending arrest in connection with West Port Police Station Case No. 209 of 2018 dated 20.12.2018 under sections 420/120B of the Indian Penal Code, the petitioner has filed the present application.

Mr. Aditya, learned advocates appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner. Similarly situated co-accused persons have already been granted anticipatory bail. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation of the petitioner is not necessary.

Mr. Banerjee, learned advocate, appears on behalf of the State and opposes the petitioner's prayer.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the fact that co-accused

persons, similarly situated, had been granted anticipatory bail, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Satyendra Kumar**, shall be released on bail upon furnishing a bond of Rs.20,000/- 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 and on further condition that the petitioner shall appear before the Officer-in-Charge, West Port Police Station, and hand over his passport, if any, within three weeks from date.

In the event he does not have any passport, he will personally appear before the said Officer and furnish an affidavit to that effect within the time-frame mentioned hereinabove.

It is further made clear that in the event he fails to comply with the conditions, the learned Trial Court shall be at liberty to cancel his bail, in accordance with law, without any further reference to this Court.

The application for anticipatory bail, being CRM No. 2855 of 2020 is, thus, disposed of.

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

(Suvra Ghosh, J)

(Tapabrata Chakraborty, J)