

27.09.2021
Item no.25.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2692 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 12.3.2021 in connection with Chanditala Police Station Case No.22 of 2021 Dated 18.01.2021 under Sections 420/406/379/323/34 of the Indian Penal Code

And

In the matter of : Humaun Kabir & Anr.

.....Petitioners.

Ms. Pramita Banerjee,
Mr. Soupal Chatterjeefor the Petitioners.

Mr. P. K. Dutta,
Mr. Santanu Debroyfor the State.

Read order dated 17.09.2021.

The petitioners say that they have reported to the Investigating Officer and have fully cooperated with him.

The State files notice issued under Section 41A of the Code of Criminal Procedure addressed to the petitioners, from the endorsement whereon, it appears that the petitioners have indeed met the Investigating Officer in response to the notice under Section 41A of the Code of Criminal Procedure.

In view of the aforesaid cooperative conduct of the petitioners, we are inclined to allow the petitioners' prayer for

anticipatory bail so long as they continue to cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely Humaun Kabir and Nasim Aktar @ Lal shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.2692 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)