

34. 04-10-2021

C.R.M. 3312 of 2021

(Via Video Conference)

sg Court 30

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Daspur Police Station Case No. 98 of 2021 dated 24.02.2021 under sections 447/323/325/307/506 of the Indian Penal Code.

Allowed

Sk. Rafik Ali
Versus
The State of West Bengal

Mr. Abdul Hamid, Adv.
Mr. Syed Shahen Shah, Adv.

...for the petitioner

Mr. Bidyut Kr. Ray, Adv.
Mr. Ratna Ghosh, Adv.

...for the State

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case.

The learned Counsel for the State opposes the prayer for anticipatory bail.

Having considered the injury report and other materials on record and also considering the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner namely, Sk. Rafik Ali, shall be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail of the petitioner is allowed.

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

(Rabindranath Samanta, J.)

(Soumen Sen, J.)