

29.09.2021
Item no.58.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3366 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No.135 of 2020 Dated 24.05.2020 under Sections 448/323/325/354B/427/506/307/34 of the Indian Penal Code

And

In the matter of : Sk. Haidar Ali

.....Petitioner.

Mr. Anindya Ghosh,
Mr. Pronojit Royfor the Petitioner.

Mr. Prasun Kr. Dutta, Id. APP,
Mr. Subrata Royfor the State.

The petitioner says that he is one out of nine accused persons. The other eight persons have been granted anticipatory bail by the learned Trial Court. He says that the allegations are general and omnibus in nature. Charge sheet has been submitted. His custodial interrogation is not necessary. He is prepared to cooperate with the Police Authorities in case of further investigation.

We have seen the material in the case diary. There is nothing exclusive or specific against this petitioner. The injury cannot be said to be negligible but also not life threatening. Charge sheet has been submitted.

On an overall assessment of the material in the case diary and given the fact that eight other accused persons, who appear to be similarly circumstanced, have been granted anticipatory bail, we are of the view that immediate custodial interrogation of the petitioner is not necessary so long as he is prepared to cooperate with further investigation, if any.

Accordingly, in the event of arrest, the petitioner, namely Sk. Haidar Ali 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 and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails 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.3366 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.)

