

CRM 3566 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Basirhat Police Station** Case No. **68 of 2021** dated **29.01.2021** under Sections **195A/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Manab Sarkar

.... Petitioner.

Mr. S. S. Saha,

... For the Petitioner.

Mr. A. Hossain,
Mr. S. Biswas,

... For the State.

The allegation is that the petitioner and other three co-accused persons threatened the defacto complainant with dire consequences if he did not withdraw an earlier complaint lodged by him against the accused persons. Sections 195A/506/34 of the Indian Penal Code have been pressed into service.

We have seen the material in the case diary including the statements of witnesses. We see that one of the accused persons namely, Ajit Singh, has been granted bail by the learned Trial Court. It appears from the material on record that this petitioner is similarly circumstanced as the said Ajit Singh. Investigation is in progress.

On an overall assessment of the facts and circumstances of the case and the material on record and the nature and gravity of the offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely, **Manab Sarkar** 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 and shall report to the Investigating Officer once in a fortnight until further orders.

In the event the petitioner fails to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 3566 of 2021 is, thus, allowed.

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

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)