

27.05.2021
SL No.26
Court No.28
(GB)

**CRM 3726 of 2021
(Via Video Conference)**

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

And

In the matter of: **Niranjan Das @ Subal Das.**

....Petitioner.

Mr. Kaushik Choudhury.

...for the Petitioner.

Mr. Rana Mukherjee,
Mr. Subrato Roy.

... for the State.

Apprehending arrest in connection with Gangarampur Police Station Case No. 391 of 2019 dated 19.10.2019 under sections 387/406/420/417/467/469/471/506/34 of the Indian Penal Code, the present application has been preferred.

Mr. Choudury, learned advocate appearing for the petitioner submits that the petitioner, who is presently aged about 70 years, has been falsely implicated. The *de facto* complainant, in fact, took an amount of Rs.5,40,000/- (Five lakhs forty thousands only). He further submits that the allegations against the petitioner are unfounded and in the said conspectus custodial detention is not necessary and he may be granted anticipatory bail on any stringent condition.

Mr. Mukherjee, learned advocate appearing for the State opposes the petitioner's prayer and submits that investigation is in progress.

Having heard the learned advocates for the respective parties and considering the materials in the Case Diary, the nature of allegations, the extent of complicity and the age of the petitioner, we are of the opinion that custodial interrogation is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Niranjan Das @ Subal Das**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner shall reside within the jurisdiction of the Gangarampur Police Station and cooperate with the investigation. He shall meet with the Investigating Officer once in a fortnight until further orders.

The application for anticipatory bail, being CRM No. 3726 of 2021 is, thus, disposed of.

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

(Tapabrata Chakraborty, J.)

(Shampa Sarkar, J.)