

13.12.2021
Sl. No.31
akd
[ALLOWED]

C. R. M. 4165 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.06.2021 in connection with Ratua Police Station Case No. 700 of 2019 dated 23.12.2019 under Sections 399/402 of the Indian Penal Code read with Section 27 of the Arms Act. (G.R. Case No.3001 of 2019)

And

In Re: **Sk. Israfil @ Sekh Israful**

... .. Petitioner

Mr. Koustav Bagchi
Mr. Arup Sarkar
Mr. Debayan Ghosh

... .. for the petitioner

Mr. Swapan Banerjee
Mrs. Purnima Ghosh

... .. for the State

It is contended that no incriminating article was recovered from the possession of the petitioner.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioner in the light of the submission that no incriminating article was recovered from his possession and as investigation is complete, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Sk. Israfil @ Sekh Israful**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition

that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)