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16.11.2021.
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**C.R.M. 5061 of 2021
(via video conference)**

In the matter of: an application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.08.2021 in connection with Katwa Police Station Case No. 84 of 2021 dated 25.03.2021 under Sections 341/420/406/120B of the Indian Penal Code.

And

In re.: Shaik Mamiruddin. Petitioner.

Mr. Uday Sankar Chattopadhyay,
Mr. Anindya Sundar Das. ... for the petitioner

Mr. Tanmoy Kumar Ghosh,
Ms. Sima Biswas. ... for the State.

Mr. Kaushik Gupta,
Mr. Anirban Tarafder.
...for the de facto complainant.

The petitioner seeks anticipatory bail.

State and the de facto complainant are represented.

The learned Advocate for the de facto complainant submits that there is a stay of police complaint passed by the Revisional Court on August 19, 2021 in C.R.R. No. 1631 of 2021.

The learned Advocate for the State submits that the petitioner did not comply with the notice issued under Section 41A of the Code of Criminal Procedure.

The learned Advocate for the petitioner disputes such contention made on behalf of the State.

Considering the fact that there is a stay of police complaint being Katwa Police Station Case No. 84 of 2021 dated March 25, 2021 under Sections 341/420/406/120B of the Indian Penal Code passed by the Revisional Court on

August 19, 2021 in C.R.R. No. 1631 of 2021, the present application is disposed of as at the present there is no threat of arrest.

This order, however, will not prevent the petitioner from approaching the Court, in the event of police complaint is revived.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)