

14.09.2021
Suppl. No.2
Court No.30
(gc)

CRM 5648 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Keshpur Police Station Case No.88 of 2021 dated April 1, 2021 under Sections 143/149/302 & 120(B) of the Indian Penal Code.

And

In the matter of : **Ajoy Pradhan alias Ajay Krishna Pradhan**
- Petitioner

Mr. Nonigopal Chakraborty,
... For the Petitioner.

Mr. Saibal Bapuli, Ld. A.P.P.,
Mr. Arani Bhattacharyya,
... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and draws our attention to the statements of few witnesses to the alleged crime recorded under Section 164 of the Code of Criminal Procedure.

Moreover, it has been submitted that the charge-sheet has already been filed in the instant case and, accordingly, the custodial interrogation of the petitioner may not be necessary.

We have considered the statements recorded under Section 164 of the Code of Criminal Procedure and it, *prima facie*, appears that the statements are hearsay in nature. Considering the materials on record and the nature and involvement of the petitioner in the commission of alleged offence and having regard

to the fact that the allegations are omnibus in nature, we are inclined to grant anticipatory bail to the petitioner. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Ajoy Pradhan alias Ajay Krishna Pradhan**, 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.

The application for anticipatory bail, being CRM No.5648 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.

(Rabindranath Samanta, J.)

(Soumen Sen, J.)