

CRM No.6298 of 2021

Via video conference

16.12.21

(S.R.)

Sl.579

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Uluberia** Police Station Case No.105 of 2021 dated 24/03/2021 under Sections 3/4 of Explosive Substance Act;

And

In re: Sk. Aminuddin

... petitioner.

Mr. Syed Nasim Aejaaz
Md. Ejaz Akhter

... for the petitioner.

Mr. A. Sinha
Mr. P. Kumar Mitra

...for the State.

Heard the learned lawyer for the petitioner as well as the learned lawyer representing the State. Perused the case diary. Investigation is still pending and charge sheet has not yet been filed.

On perusal of the case diary, we are unable to find incriminating materials connecting the present petitioner directly into the alleged offence.

Considering the nature of allegations and available incriminating materials, we are of considered opinion that custodial detention of the petitioner is not necessary and, accordingly, we are inclined to allow the anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner will 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 with a further direction that the petitioner shall meet with the investigating officer once in a week on and from 24th December, 2021 till investigation is complete.

It is further directed that the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail being CRM No.6298 of 2021 is, accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)