

16.12.2021
Sl. No.111
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[ALLOWED]

C. R. M. 6652 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 30.09.2021 in connection with Burrabazar Police Station Case No. 104 of 2021 dated 24.04.2021 under Sections 401(A) of the Kolkata Municipal Act.

And

In Re: ***Dipak Kumar Jain***

... .. Petitioner

Md. Zeeshan Uddin
Ms. Amrin Khatoon

... .. for the petitioner

Mr. Sudip Ghosh, Ld. A.P.P
Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he has cooperated with the investigation. No construction is being undertaken in the premises in question.

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

We have considered the materials on record. Keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner and as the petitioner has cooperated with investigation, we are of the opinion though custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case, he requires to cooperate with the investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the accused/petitioner 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 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.)