

10.11.2021

CRM 6926 of 2021

court no. : 28
Item no. : PB-40
matter : 438
status : ALLOWED
transcriber : nandy

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 26.10.2021 in connection with Egra Police Station Case No. 526 of 2019 dated 25.09.2019 under Section 306 of the Indian Penal Code.

and

In the matter of: **Sk. Mukhtar Ali**

.....Petitioner

Mr. Jayanta Narayan Chatterjee, Advocate

Mr. Sk. Sahjahan Ali, Advocate

Ms. Jayasree Patra, Advocate

.....for the Petitioner

Ms. Sreeparna Das, Advocate

.....for the State

Apprehending arrest in connection with Egra Police Station Case No. 526 of 2019 dated 25.09.2019 under Section 306 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

Learned lawyer of the petitioner submits that there was a friendship between the deceased and the petitioner. As the friendship between them became strained, it might be that the victim committed suicide. It is further submitted that the petitioner had no role in abetting the commission of committing suicide by the victim. In such circumstances, learned lawyer submits the petitioner may be granted anticipatory bail.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have perused the statement of some of the

witnesses and the other materials as available in the case diary. Having heard the learned lawyers appearing for the parties and on consideration of the materials in the case diary, we feel that there is no need for custodial interrogation of the petitioner.

As such, the prayer for anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioner namely, **Sk. Mukhtar Ali**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer, on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall meet the Investigating Officer once in fortnight and as and when called for until further order. Default on any solitary occasion without any justifiable cause shall disentitle the petitioner to the privilege of Section 438 of the Code of Criminal Procedure granted by this Court.

The application for anticipatory bail being **CRM 6926 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

