

15.11.2021
Sl. No.93
akd
[ALLOWED]

C. R. M. 7147 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.10.2021 in connection with English Bazar Police Station Case No. 08 of 2021 dated 02.01.2021 under Sections 417/323/307/506/34 of the Indian Penal Code. (G.R. Case No.46 of 2021)

And

In Re: ***Rizwan Ahmad @ Rijuwan Kuwarshi***

... .. Petitioner

Mr. Sagar Saha

... .. for the petitioner

Ms. Sreeparna Das

... .. for the State

It is submitted on behalf of the petitioner that the instant case has been registered in retaliation to an earlier complaint lodged against the de-facto complainant. It is further submitted that the petitioner is not the principal accused.

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

Having considered the materials on record in the light of the aforesaid submission that the instant case was lodged in retaliation to an earlier case registered by the petitioner and as the petitioner is not the principal accused, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Rizwan Ahmad @ Rijuwan Kuwarshi***, 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 on

further condition that the petitioner 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.)