

17.12.2021
Sl. No.83
akd
[ALLOWED]

C. R. M. 8099 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.12.2021 in connection with Karandighi Police Station Case No. 14 of 2020 dated 12.01.2020 under Sections 420/406/409 of the Indian Penal Code.

And

In Re: **Md. Arif @ Arshalan @ Arif @ Arif Mia**

... .. Petitioner

Mr. Supreem Naskar

... .. for the petitioner

Mr. Aniket Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is not the principal accused. Dispute arose out of a commercial transaction.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the de-facto complainant had supplied food grains to one Sunil Jain who did not pay the price of the consignment. Petitioner was the negotiator.

We have considered the materials on record. Petitioner is not the principal accused and had negotiated the transaction. Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are of the opinion that custodial interrogation of the accused/petitioner for progress of investigation is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Md. Arif @ Arshalan @ Arif @ Arif Mia**, 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.)