

21.12.2021  
Item no.31.  
Court No.28.  
AB

**(Via Video Conference)**

**CRM No. 8304 of 2021**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Jorasanko Police Station Case No.158 of 2021 Dated 25.07.2021 under Sections 504/506/385/34/387 of the Indian Penal Code

And

**In the matter of : Md. Mehtab @ Mehtab Alam @ Jalla Bablu**

.....Petitioner.

Ms. Minoti Gomes,  
Mr. Pratip Mukherjee,  
Mr. Rahul Agarwal,  
Mr. Arpit Agarwal .....for the Petitioner.

Mr. Neguive Ahmed, Id. APP,  
Ms. Amita Gaur .....for the State.

It is submitted on behalf of the petitioner that he had lodged complaint against unauthorized construction. Hence, in retaliation, he has been falsely implicated in the instant case.

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

Allegation of extortion requires to be assessed in the light of the aforesaid submission made on behalf of the petitioner at the appropriate stage of the proceeding.

Under such circumstances, we are of the view that though custodial interrogation is not necessary, the petitioner

requires to cooperate with the investigation in accordance with law.

Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

**(Bivas Pattanayak, J.)**

**(Joymalya Bagchi, J.)**