

07.07.2021

Court No.30

rpan / **22**

CRM 8025 of 2020
(Via video Conference)

In Re:- An application under section 438 of the Code of Criminal Procedure;

And

In Re : **Md. Ibrahim & Others**

...Petitioners

Mr. Saibal Bapuli,

Ms. Sayanti Santra

... for the State.

Apprehending arrest in connection with Serampore P.S. Case No.238 of 2020 dated 17.05.2020 under Sections 420/467/468/409/120B/34 of the Indian Penal Code, the petitioners have filed the present application.

Records reveal that by an earlier order dated 15th December, 2020 a co-ordinate Bench of this Court passed an interim order directing that the petitioners shall not be arrested in connection with the case for a period of five weeks after the X-mas Vacation or until further orders, whichever is earlier, on condition that they should appear before the investigating officer once in a week and produce the necessary documents for the purpose of investigation.

Mr. Bapuli, learned Additional Public Prosecutor appearing for the State, submits that the petitioners have complied with the conditions as incorporated in the order dated 15th December, 2020 and there is no adverse report against them. Let the documents, as produced, be kept on record.

In view thereof, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and

circumstances of the case. As such, the petitioners' prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Md. Ibrahim, 2. Noorasa Bibi 3. Md. Chand** and **4. Md. Miraj** shall be released on bail upon furnishing a bond of ₹10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioner nos.1, 3 and 4 shall also meet with the investigating officer once a week on and from 12th July, 2021 until further orders.

The application for anticipatory bail, being CRM No. 8025 of 2020 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)