

02.03.2021
Item no.138
Court No.28
Avijit Mitra

C.R.M. 8106 of 2020 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bowbazar Police Station Case No.240 of 2020 dated 07.08.2020 under Sections 120B/409/420/465/468/471/506 of the Indian Penal Code;

And

In Re : Md. Aftab Alam

.... petitioner

Mr. Mrityunjoy Chatterjee,
Syed Nafirul Islam

....for the petitioners

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta

..... for the State

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The principal accused is one Md. Miraj. There is nothing on record to disclose the involvement of the petitioner in the alleged offence. In view thereof, the custodial interrogation of the petitioner is not necessary.

Mr. Roy Chowdhury, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the instant case and the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md. Aftab Alam**, shall be released on anticipatory bail upon furnishing a bond of Rs.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.

Accordingly, the application for anticipatory bail being CRM No.8106 of 2020, is disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)