

09.03.2021
Item No.121
Ct.No.28
Subha
Allowed

C.R.M. 8208 of 2020
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438
of the Code of Criminal Procedure.

And

In the matter of : Mangal Das

.. Petitioner.

Mr. Koustav Bagchi
Mr. Arup Sarkar

... For the Petitioner.

Mr. Saibal Bapuli, Id. APP
Mr. Arnani Bhattacharya

... For the State.

Apprehending arrest in connection with Chanchal
Police Station Case No. 848 of 2020 dated 22-09-2020 under
Sections 448/376/511 of the Indian Penal Code, the present
application has been filed.

Mr. Bagchi, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated on the basis of an order passed in an application
under Section 156(3) of the Code. F.I.R was registered
wherein it was, inter alia, alleged that for five years the

petitioner was offering bad proposal upon the complainant. However, no complaint to that effect has ever lodged.

In the said conspectus, custodial interrogation of the petitioner is not warranted.

Mr. Bapuli, learned Additional Public Prosecutor opposes the prayer for anticipatory of the petitioner and submits that the petitioner was granted interim bail by an order dated 20th October, 2020 passed by a co-ordinate Bench of this court.

Having heard the learned advocates and considering the materials available 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 the custodial detention of the petitioner is not warranted in the facts and circumstances of the case and the interim bail granted on 20th October, 2020 is confirmed.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Mangal Das** shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 application for anticipatory bail, being CRM 8208 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.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)