

10.06.2021

(Sl. No. 94)
Ct. No. 30

(S. Banerjee/TB)

CRM 9095 of 2020

With
CRAN 1 of 2021

(through Video Conference)

In re: An application for bail under Section 438 of the Code of Criminal Procedure filed on 05.11.2020 in connection with Chanchal Police Station Case No. 961 of 2020 dated 18.10.2020 under Section(s) 341/323/325/506/306/34 of the Indian Penal Code.

And

In the matter of: Rakib Ali Alias Rakibuddin Ahamed Alias
Rokibuddin Ahmed
...petitioner

Mr. Koustav Bagchi

... for the petitioner

Mr. Rana Mukherjee, Addl. PP
Ms. Debjani Sahu

... for the State

Though this matter is listed inadvertently under the heading application for anticipatory bail whereas an application being CRAN 1 of 2021 has been filed with a prayer for modification or relaxation of the condition for bail. However, all the parties are represented today and they have no objection if the said application is taken up for hearing, we are inclined to hear out this application.

Re : CRAN 1 of 2021

This application arising out of CRM 9095 of 2020 is appearing under the caption "Application for anticipatory bail".

Considering the prayer made in the application and upon hearing the learned counsel for the petitioner and Mr. Rana Mukherjee, learned Additional Public Prosecutor, this court finds that the prayer in substance is for relaxation of condition of anticipatory bail granted to the petitioners. The order dated 04.02.2021 passed in CRM 9095 of 2020 reflects that direction has been given

to be released on bail bond subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. Yet further condition was given to meet the Investigating Officer on and from 8th February, 2021 until further orders. Therefore, the application remains to be decided for relaxation of the conditions of anticipatory bail.

Considering the nature of the offence under Section 341/323/325/506/306/34 of the Indian Penal Code, the petitioners need not meet the Investigation Officer everyday as per the order so granted. However, we are pleased to relax the condition to this effect that the petitioners should meet the investigating officer once in a fortnight until the charge-sheet is submitted or as and when the petitioners are called for by the Investigating Officer for the purpose of investigation.

Thus CRAN 1 of 2021 is disposed of.

(Saugata Bhattacharyya, J.)

(Shivakant Prasad, J.)