

25.02.21 In re: An application for anticipatory bail under Section 438 of the Code of
(S.R.) Criminal Procedure filed in connection with **Debra** Police Station Case
Sl.39 **No.419 of 2020** dated **07.10.2020** under Sections
Ct.28 **498A/323/325/307/406/506/34** of the Indian Penal Code and Sections
3 and 4 of D.P. Act;

And

In re: Uttam Kumar Dey

... petitioner.

Mr. Tushar Kanti Har
Mr. Somnath Chakraborty

... for the petitioner.

Mr. Tanmoy Kr. Ghosh
Ms. Sima Biswas

...for the State.

Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh

... for the *de facto* complainant.

Leave is granted to the learned advocate on record of the petitioner to amend the cause title of the application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner and in view thereof, custodial interrogation of the petitioner is not necessary.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the injury report and other 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 necessary.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Uttam Kumar Dey** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, 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.10663 of 2020, is allowed.

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.)

