

02.03.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Chakdaha** Police
Sl.141 Station Case **No.247 of 2020** dated **29.08.2020** under Sections
Ct.28 **376/506** of the Indian Penal Code;

And

In re: Ashok Paul

... petitioner.

Mr. Ankit Agarwala
Mr. Subir Debnath
Mr. Soham Banerjee
Ms. Roma Roy
Mr. Vineet Ojha

... for the petitioner.

Ms. Faria Hossain
Ms. Baisali Basu

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. There had been a long standing dispute between the parties and a proceeding under Section 107 had also been initiated on the basis of a complaint lodged by the wife of the petitioner herein. In the said conspectus, custodial interrogation of the petitioner is not necessary.

The 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 this case.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Ashok Paul** shall be released on bail upon furnishing a bond of Rs.10,000/- 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.10716 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.)