

04.03.2021

Court No.28

rpan/ 60

C.R.M. 10831 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Mahidul Nadap @ Bachhu Nadap**

.....Petitioner.

Mr. Kalidas Saha

....For the Petitioner.

Ms. Faria Hossain,

Ms. Sonali Das

....For the State

Apprehending arrest in connection with Pukhuria Police Station Case No.22 of 2020 dated 14.01.2020 under Sections 341/326/307/506 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the allegations levelled against the petitioners are unfounded. He has been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such, 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 the medical documents.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the medical documents, particularly the injury report 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. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Mahidul Nadap @ Bachhu Nadap** shall be released on bail upon furnishing a bond of ₹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.

The application for anticipatory bail, being CRM No. 10831 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.)