

11.03.2021
Item no.28
Court No.28
Avijit Mitra

C.R.M. 10884 of 2020 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Harishchandrapur Police Station Case No.845 of 2020 dated 24.11.2020 under Section 376 of the Indian Penal Code;

And

**In Re : Majibur Rahaman @ Hazi Majibur
Rahaman @ Hazi Mojibur Rahaman @
Morol**

.... Petitioner

Mr. Sandipan Ganguly, Sr. Adv,

Mr. Arup Sarkar,

Mr. Sourav Mukherjee

...for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Ms. Sreeparna Das

...for the State

Learned advocate appearing for the petitioner submits that the petitioner is the maternal uncle of the victim and he has been falsely implicated in view of some dues which were supposed to be paid by the family of the victim.

Mr. Mukherjee, learned Public Prosecutor appearing for the State draws the attention of the Court to the statement of the victim under Section 164 of the Code of Criminal Procedure.

We have perused the case diary along with the statement of the victim as referred to by the State and on an appreciation of the same, we are of the opinion that custodial interrogation of the petitioner may not be

warranted. Accordingly prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Majibur Rahaman @ Hazi Majibur Rahaman @ Hazi Mojibur Rahaman @ Morol**, shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- each 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 and on further condition that the petitioner shall meet with the investigating officer of the case on and from 18th March, 2021 once in a week until further orders.

Accordingly, the application being C.R.M. No.10884 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)