

12.03.2021

CRM 10996 of 2020

Court No.02
Item No.124
(ALLOWED)

akd

In Re:- An application for bail under section 438 of the Code of Criminal Procedure filed on 18.12.2020 in connection with Chinsurah Police Station Case No. 348/2020, dated 04.11.2020 under Sections 498A/354A/406/34 of the Indian Penal Code (G.R. Case no. 1678/2020).

And

In the matter of : **Sri Subir Pal**

...Petitioner

**Mr. Goutam Banerjee,
Ms. Priya Dey.**

...For the Petitioner

**Ms. Sukanya Bhattacharyya,
Mr. Mirza Firoj Ahmed Begg.**

...For the State.

Apprehending arrest in connection with Chinsurah Police Station Case No. 348/2020 under Sections 498A/354A/406/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

It is submitted by the learned Advocate appearing for the petitioner that he has been falsely implicated in the present case. It is further submitted that no notice under Section 41A of the Code of Criminal Procedure has been served upon him.

On the other hand, the learned Advocate for the State opposes the prayer for anticipatory bail. It is submitted that the charge sheet has already been submitted.

Having heard the submissions so advanced by the respective parties and considering the materials available in the case diary, we think that the custodial interrogation of the petitioner may not be necessary, as the charge sheet has already been filed. Therefore, the petitioner is entitled to get the privilege of anticipatory bail.

In the event of arrest the petitioner shall be released on bail on 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 of the concerned police station subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail, being CRM 10996 of 2020, is thus **allowed**.

(Harish Tandon, J)

(Kausik Chanda, J.)