

30.11.2021

Item No.48

Ct.No.01

F.B/Subha

Allowed

C.R.M. 1094 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail apprehending arrest in connection with Pradhan Nagar Police Station Case No. 788 of 2020 dated 11.12.2020 under Sections 385/380/341/323/325/506/34 of the Indian Penal Code (corresponding to G. R. Case No. 5474 of 2020).

And

In the matter of : Sachin Jaiswal

.. Petitioner.

Mr. Abhilash Mittal

... For the Petitioner.

Mr. Niloy Chakraborty

Ms. Namrata Das

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated by his neighbour who happens to be a complainant and a shop owner.

Learned advocate for the State produces the case diary and submits that unnecessarily, the petitioner has been harassing and demanding/extorting as is evident from the statement of the witnesses.

We find that the complainant was running a biriyani shop and the petitioner was trying to demand both money and food from him.

Having regard to the nature of the allegations, we are of the view that the custodial detention of the petitioner may not be warranted in the facts and circumstances of the case.

Accordingly, we ***allow*** the application for anticipatory bail and direct that in the event of arrest, the ***petitioner*** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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.

On and from 1st December, 2021, the petitioner shall stay outside the jurisdiction of Pradhan Nagar Police Station and shall enter the jurisdiction only for meeting the Investigating Officer once a week until further orders.

With the aforesaid observations, the application for anticipatory bail, being **CRM 1094 of 2021** is, thus, ***disposed*** of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)