

08.06.2022
Sl. No.90
akd
[ALLOWED]

C. R. M. (A) 2382 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.05.2022 in connection with Moyna Police Station Case No. 193 of 2021 dated 25.07.2021 under Sections 448/323/354/354B/376/511/506/34 of the Indian Penal Code. (G.R. Case No.1886 of 2021)

And

In Re: **Sk. Apsar Ali**

... .. Petitioner

Mr. Suman De

... .. for the petitioner

Mr. Binay Panda
Mr. Subham Bhakat

... .. for the State

It is submitted on behalf of the petitioner there are case and counter-case over the selfsame incident. It is further submitted that the petitioner is not the principal accused and has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioner in the alleged crime and in the light of the submission there are case and counter-case between the parties, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Sk. Apsar Ali**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer

and also 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 appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)