

21.01.2022
Item no. 01
Court No.32
Avijit Mitra

C.R.M. 6666 of 2021 (Through Video Conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Durgachak Police Station Case No.108 of 2021 dated 13.08.2021 under Sections 407/120B of the Indian Penal Code;
And

In Re : Md. Nezamuddin @ Md. Nezamuddin Uddin
.... petitioner

Mr. Anand Keshri,
Mr. Sekhar Mukherjee
....for the petitioner
Mr. Nguive Ahmed,
Md. Anwar Hossain,
Ms. Trina Mitra
..... for the State

Records reveal that by an order dated 9th November, 2021 the petitioner was granted *interim* protection and was directed to meet with the Investigating Officer for interrogation twice a week.

Mr. Keshri, learned advocate appearing for the petitioner submits that the petitioner has duly complied with the conditions as incorporated in the earlier order dated 9th November, 2021.

Mr. Ahmed, learned advocate appearing for the State submits that investigation is still in progress and files a report. Let the same be kept on record.

It appears that the petitioner has substantially complied with the earlier direction of this Court and in view thereof, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Md. Nezamuddin @ Md. Nezamuddin Uddin**, shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall meet with the Investigating Officer twice in a week till investigation is complete.

The petitioner shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 6666 of 2021 is disposed of.

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

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)

