

06.01.2022

Court No.32
rpan / 336

CRM 7395 of 2021

[through Video Conferencing]

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re.: **Keunall Thadani @ Kunal Thandani**

- Petitioner

Ms. Subhasree Patel,

Ms. Saini Das

... for the Petitioner.

Mr. Binay Panda,

Ms. Pushpita Saha

... for the State.

Apprehending arrest in connection with N.T.S. Police Station Case No.124 of 2020 dated 10.10.2020 under Sections 379/411/450/452/420/468/467/506/307/120B/34 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Ms. Patel, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Pertaining to an earlier complaint, which was registered as N.T.S. Police Station Case no.105 of 2020 dated 07.09.2020, the petitioner was granted anticipatory bail by a coordinate Bench of this Court. In the present complaint again the petitioner has been implicated. The allegations are unfounded and the petitioner has no nexus with the alleged offence. Upon completion of investigation charge sheet has been submitted and as such, custodial interrogation is not warranted.

Mr. Panda, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are strong

incriminating materials in the case diary which clearly reveal the direct involvement of the petitioner in the alleged offence. In support of such contention, he has drawn our attention to the statements of the witnesses and the injury reports.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the extent of complicity of the petitioner in the alleged offence and since he was granted anticipatory bail by a coordinate Bench of this Court in a complaint lodged on the basis of the same incident, we are of the opinion that custodial interrogation is not necessary, more so when, upon completion of investigation charge sheet has been submitted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Keunall Thadani @ Kunal Thandani**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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.

It is further directed that the petitioner shall attend the learned court below on all the dates, as specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 7395 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.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)