

06.01.2022

Court No.32
rpan / 16

CRM 7920 of 2021

[through Video Conferencing]

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

And

In Re.: **Dipankar Dutta**

- Petitioner

Ms. Sananda Bhattacharyya

... for the Petitioner.

Md. Anwar Hossain,

Ms. Benajir Hasna

... for the State.

Apprehending arrest in connection with Dhantala Police Station Case No.485 of 2020 dated 18.11.2020 under Sections 448/323/325/436/307/379/427/506/34 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Ms. Bhattacharyya, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. His name does not appear in the FIR. The allegations are omnibus in nature. Upon completion of investigation charge sheet has been submitted. In view thereof, custodial interrogation is not warranted.

Md. Hossain, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the statements of the witnesses, as recorded under Section 164 of the Code and the injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary,

the nature of allegations, the injury report and the extent of complicity of the petitioner in the alleged offence, 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, **Dipankar Dutta**, 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.

The application for anticipatory bail, being CRM 7920 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.)