

CRM 8709 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Bablu Bag**

..... petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee

.....For the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

.....For the State

Apprehending arrest in connection with Goghat Police Station Case No. 183 of 2021 dated July 19, 2021 under Sections 447/448/325/427/436/504/506/34 of the Indian Penal Code, the present application has been preferred.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged offence. All the co-accused persons have already been granted anticipatory bail by the learned Sessions Judge and upon completion of investigation, charge sheet has also been submitted. In view thereof, custodial interrogation is not necessary.

Ms. Sinha, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Sections 161 and 164 of the Code.

Heard the learned advocates appearing for the respective parties.

Having considered the materials in the case diary and bearing in mind the nature of allegations in the light of the arguments as advanced by the parties and in view of the fact that upon completion of investigation, charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioner is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Bablu Bag** 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 with further condition that the petitioner shall not enter the jurisdiction of Goghat Police Station until further orders and shall intimate the address where he would be residing to the Officer-in-Charge of Goghat Police Station immediately. It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing. 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 8709 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.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)