

17.02.2022
Item no. 200
Court No.32
Avijit Mitra

C.R.M. 8768 of 2021

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

And

In Re : Sri Samir Kali

.... petitioner

Mr. Dipanjan Chatterjee,

...for the petitioner

Mr. Arijit Ganguly,

Mr. Sujan Chatterjee

....for the State

Apprehending arrest in connection with Pingla Police Station Case No.288 of 2021 dated October 09, 2021 under Sections 498A/307/34/494 of the Indian Penal Code, the present application has been preferred.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are absolutely unfounded. He has been sought to be falsely implicated. In the said conspectus, the petitioner may be granted anticipatory bail on any condition.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioner's prayer. However, answering our query he submits that no statement has been recorded under Section 164 of the Code and that there is also no medical report.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, there is paucity of relevant materials to corroborate the contents of the complaint. Considering the nature of accusations and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Sri Samir Kali**, 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 direction that the petitioner shall meet with the Investigating Officer of this case once 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. 8768 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.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)

