

25.01.2022

Court No.32
rpan/30

CRM 8798 of 2021

[Through Video Conferencing]

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

And

In Re : **Sunil Matubbar @ Mattabbar**

- Petitioner

Mr. Sourav Mukherjee

... for the Petitioner.

Mr. S. S. Imam,

Mr. R. Jana

... for the State.

Apprehending arrest in connection with Palashipara Police Station Case no.80 of 2020 dated 20.04.2020 under Sections 341/447/325/307/34 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, it appears that co-accused persons, similarly situated with the petitioner, had already been granted anticipatory bail by different coordinate Benches of this Court. Considering the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not warranted, more so when, upon completion of investigation, charge sheet has already been filed. As such, prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sunil Matubbar @ Mattabbar** 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 specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses 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 court below would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail, being CRM No. 8798 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.

(Kesang Doma Bhutia, J.) (Tapabrata Chakraborty, J)