

VB
142. **13.10.2022**
Ct.28 NB/Tgh/Ali

Allowed

C.R.M. (A) 4944 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with **Palashipara Police Station Case No. 67 of 2022** dated **21/02/2022** under Sections **379/411** of the Indian Penal Code and Sections **7(1)a(ii)** of the Essential Commodities Act.

And

In the matter of: - **Sazidur Rahaman**

...petitioner.

Mr. Dipankar Mandal,
Mr. Abdul Aziz Mondal.

...for the petitioner.

Mr. Rudradipta Nandy, Ld. A.P.P.,
Mr. Anindya Sundar Chatterjee.

...for the State.

Heard learned Lawyer of the parties.

Petitioner submits that he has been falsely implicated.

Learned Lawyer for the State opposes the prayer for bail.

We have considered the materials on record. The gas cylinders in question have already been recovered.

In view of such circumstance, we are of the opinion that custodial interrogation of the petitioner is not necessary, however, the petitioner shall co-operate with the investigation.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Sazidur Rahaman** 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 shall abide by the conditions laid down in Section 438(2) of

the Code of Criminal Procedure and on further condition that the petitioner, while on bail, shall meet the Investigating Officer once in a week until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. (A) 4944 of 2022 is, accordingly, disposed of.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)