

21.08.2023
SL. 9
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2619 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chapra** Police Station Case No. **12 of 2023** dated **03.01.2023** under Sections **420/406** of the IPC.

And

In the matter of: **Bapi Sekh**

....petitioner.

Mr. Tilak Mitra

...for the petitioner.

Mr. Joydeep Roy

Ms. Sujata Das

...for the State.

1. Heard learned Counsel for both the parties.
2. The report submitted by learned Counsel for the State be taken on record.
3. The petitioner is certified to be a person with 80 per cent of physical disability.
4. The report submitted by S.I. Gobinda Sarkar, Chapra P.S., Krishnanagr PD is clear to the effect that the disability certificate filed by the petitioner vide Annexure – P3 is a genuine disability certificate issued by the competent Board. The petitioner is alleged to have received some amount through UPI transfer for the alleged act. But the amount of money received by the petitioner is not so huge. All the documents regarding the transaction relating to the petitioner have already been seized in the meantime as found from the C.D. we, therefore, find no necessity of any custodial interrogation of the petitioner.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature and quantum of disability and substantial progress in

investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:

- i) The petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2619 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

