

15.
21-08-2023
(ct. no.29)
Sayandeep
Allowed

CRM(A) 3004 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chatterjeehat Police Station** Case No. **78 of 2023** dated **04.05.2023** under Sections **420/406/448/341/323/307/379/354B/376/506(II)/34** of the Indian Penal Code.

- A n d -

In the matter of : Kanad Saha

.... Petitioner.

Mr. Bikash ranjan Bhattacharya
Mrs. Malabika Saha
Ms. Sharmistha Paul

... For the Petitioner.

Mr. S.S. Imran
Mr. R. Jana

.....for the State

1. Heard learned counsel for the parties including the informant who is present in-person.
2. The principal accused is stated to have been released on regular bail in the meantime. The present petitioner is alleged to have assisted the principal accused in absconding to Bangladesh and it is further alleged that the present petitioner outraged the modesty of the informant having denied to pay her professional fees. From the materials on record, we find that there was some altercation when fees were demanded by the informant and the case is the out come of that altercation. Thereafter series of cases have already been filed against the advocate who is representing the present petitioner as stated by learned counsel for the petitioner. From the allegation on record, we do not find any justification for custodial interrogation of the petitioner.

3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer 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 conditions:
 - i) The petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. The petitioner is directed to appear before the IO within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being CRM (A) 3004 of 2023 is disposed of.
7. The concerned IO is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)