

09.10.2023
Sl. No.8
[ALLOWED]
as

C. R. M. (A) 4343 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 602 of 2023 dated 30.06.2023 under Sections 285/420/506 of the Indian Penal Code read with Sections 7(1)(a)(ii) of the Essential Commodities Act.

In Re: ***Md. Mahatab Ali @ Md. Mahatab.***

... .. Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Imdadul Hoque.

... .. for the petitioner

Mr. Soumik Ganguli.

... .. for the State

1. Petitioner submits his wife is a member of a political party. Out of political animosity, he has been falsely implicated. He prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioner was dealing in adulterated kerosene oil.
3. We have considered the materials on record. Oil has been seized but no chemical report in support of the allegation of adulteration is placed on record.
4. Under such circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary but he co-operate to investigation in accordance with law.
5. Accordingly, we direct that in the event of arrest, the petitioner viz., ***Md. Mahatab Ali @ Md. Mahatab*** 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and he shall appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a month until further orders.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)