

11.06.2024
Court No.29
Item No. 34

Allowed

sg

CRM (A) 1875 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotulpur Police Station Case No. 30 of 2024 dated 07.02.2024 under Sections 379/420 of the Indian Penal Code.

And

In Re: **Ilias Khan @ Elius Khan**

Petitioner

Mr. Soumik Ganguli
Ms. Chandana Chakraborty

For the Petitioner

Mr. Rana Mukherjee
Mr. Santanu Deb Roy

For the State

1. The learned Counsel for the petitioner has submitted that on the basis of the allegation that the number plate of the mother cycle seized during investigation, was fraudulently made by the petitioner, he is now being apprehended on the basis of a complaint lodged by one Sukur Ali Khan. It is submitted that the petitioner is the owner of the motor cycle and it has been seized from him.
2. The learned Counsel for the State submits that this motor cycle was stolen from one Sukur Ali Khan and on the basis of his complaint, G.R. Case No. 126 of 2024 was initiated and the said case is pending before the learned Chief Judicial Magistrate.
3. Considering the materials available in the case diary and the nature of involvement of the petitioner in the commission of alleged offence and the

fact that the motor cycle has been seized in the meantime, we are of the view that custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioner, namely, **Ilias Khan @ Elius Khan**, 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 arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. once in a week or as and when required till the submission of the final report and shall appear before the learned Trial Court within two weeks from date and thereafter shall attend the court on each and every date failing which, it would be open for the learned Trial Court to cancel the bail without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 1875 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)