

15.10.2020
Sl. No.39
akd
[ALLOWED]

C. R. M. 7663 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.09.2020 in connection with Malbazar Police Station Case No. 310 of 2020 dated 25.08.2020 under Sections 498A/324/376/511/34 of the Indian Penal Code. (G.R. Case No.3672 of 2020)

And

In Re: ***Khatibul Haque***

... .. Petitioner

Mr. Anirban Banerjee .. Advocate

Ms. Mashusri Dutta Majumder .. Advocate

... .. for the petitioners

Mr. Sagnik Sankar Sikdar .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in a series of cases due to domestic disputes.

Learned advocate appearing for the State submits that case diary has been sent to this court via electronic mail. He also made submissions by referring to statements recorded in course of investigation.

We have considered the materials on record. It appears there is a dispute with regard to misappropriation of compensation paid due to the death of de-facto complainant's father in a road traffic accident. Keeping in mind the aforesaid fact and in the light of the submission that the petitioner has been falsely implicated in a series of cases due to pre-existing enmity, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Khatibul Haque***, 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)