

17.11.2021
Serial no. 53
Dd

(Through Video Conference)

CRM 4916 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **120** of **2021** dated **12.03.2021** under Sections **448/323/325/354/427/195A/506/509/34** of the Indian Penal Code (G.R. No. 1283 of 2021)

-And-

In the matter of : **Bihari Chowdhury @ Biharilal Chowdhury @ Bihari**
... **Petitioner**

Mr. Kallol Mondal,
Mr. Musharraf Alam Sk. Advocates
... .. For the Petitioner

Mr. P. K. Datta, APP
Mr. Santanu Deb Roy, Advocates
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is on bail in a previous police complaint. Subsequent thereto, the present police complaint was made to implicate the petitioner falsely.

Learned advocate appearing for the State draws the attention to the contents in the case diary.

Considering the nature of the offences and considering the involvement of the petitioner and considering the fact that the petitioner is on bail in the previous police complaint and considering that the police has already submitted charge sheet, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioner shall appear before the jurisdictional Court on every date fixed for hearing.

Prayer for anticipatory bail is **allowed**.

CRM 4916 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)