

Court No.
28
Item 125
ssi

16.12.
2021

C.R.M. 6732 of 2021

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Panskura Police Station case no. 254 of 2021 dated 10.06.2021 under Sections 147/149/447/436/427/379 of the Indian Penal Code read with Section 51B of the National Disaster Management Act, 2005.

In Re: Taimul Ali Khan @ Taimul Khan & ors..

....petitioners

Mr. Suman De
....for the petitioners
Mr. Tanmay Kr. Ghosh
Mr. Arabinda Manna
...for the State
Mr. Ramashis Mukherjee
Mr. Rezauddin
Mr. R. Sinha
....for the defacto

It is submitted on behalf of the petitioners that one Mafijuddin (co-accused) lodged First Information Report against the defacto-complainant and others for murdering his son. In retaliation, the said Mafijuddin and the petitioners have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioners and others set the house of the defacto-complainant on fire.

Learned lawyer for the defacto-complainant appears and opposes the prayer for anticipatory bail.

We have considered the materials on record. Defacto-complainant is an accused in a case registered by one Mafijuddin for the murder of his son. In view of the aforesaid, possibility of false implication of the petitioners who are associates of Mafijuddin can not be ruled out.

Under such circumstances, we are of the opinion that the petitioners may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 on further condition that petitioners shall meet the Investigating Officer once in a week until further orders and shall appear before the court below and pray for regular bail within four weeks from date.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)