

15.11.2021

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Allowed

**C.R.M. 7083 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 530 of 2021 dated 03.09.2021 under Sections 448/376/511/506 of the Indian Penal Code.

And

In Re : Mohabul Mondal @ Mahabul Islam petitioner

Mr. Golam Nure Imrohi
Mr. Sreejeet Basu Roy

.....for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

....for the State

Learned advocate appearing for the petitioner submits that there is delay in lodging first information report and the petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. The petitioners are related to one another. In the light of delay in lodging first information report, one cannot wholly rule out false implication of the petitioner in the alleged incident. Under such circumstances, 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner 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 a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)