

25.02.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Muchipara** Police
Sl.40 Station Case **No.12 of 2020** dated **13.01.2020** under Sections
Ct.28 **406/408/120B** of the Indian Penal Code;

And

In re: Prasanta Bera

... petitioner.

Mr. Santimoy Bhattacharya

Mr. Ziaul Haque

... for the petitioner.

Mr. Rudradipta Nandy

...for the State.

Learned advocate for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant case by the complainant. Learned advocate further submits that the petitioner is willing to abide by any condition imposed by this Court, in case, his prayer for anticipatory bail is allowed.

Learned advocate for the State opposes the petitioner's prayer and submits that recoveries are to be effected in the instant case as per the allegations made in the letter of complaint.

We have perused the materials on record and on an appreciation of the same, we are of the opinion that custodial detention of the petitioner may not be warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Prasanta Bera** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, 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 a further condition that the petitioner shall meet the officer-in-charge of **Muchipara Police Station** once in a week on and from **1st March, 2021**, until further orders..

Accordingly, the application for anticipatory bail being CRM No.10669 of 2020, is allowed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

