

25.03.2022

Sl. 277
Court No.28
cm
(Allowed)

C.R.M. (A) 673 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Gopalnagar P. S. Case No. 750 of 2021 dated 14.12.2021 under Sections 376/511 of the Indian Penal Code.

And

In the matter of: Sushanta Mallick @ Gouranga Mallick
....petitioner.

Mr. Mrityunjoy Chatterjee
Mr. S. Bhattacharyya

...for the petitioner.

Ms. Kum Kum Mitra

...for the State.

It is submitted on behalf of the petitioner that there was dispute between family members and he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Genuineness of the allegations requires to be assessed in the light of the submission that there was dispute amongst family members and the victim had refused medical examination. In view of the aforesaid facts, 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/- 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 673 of 2022 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

