

17.02.2022

Serial no. 11

Dd

CRM(A) 709 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **125** of **2021** dated **13.04.2021** under Sections **448/376/511** of the Indian Penal Code.

-And-

In the matter of : **Sunil Kumar Mondal @ Sunil Mondal**
..... Petitioner

Ms. Shabana Hasin,
Mr. Asraf Mondal, Advocate
... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Soumik Ganguli, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. She submits that the police case was registered subsequent to an order passed by the learned Magistrate under Section 156(3) of the Criminal Procedure Code. Such petition was filed 18 days after the alleged incident.

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

Considering the gravity of the offence and the involvement of the petitioner therein as appearing from the materials in the case diary and considering the period of time taken to lodge the complaint and considering the fact that

police filed 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 also be 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 a period of four weeks from date and on further condition that the petitioner shall appear before the jurisdictional Court on every date fixed for hearing.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM(A) 709 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)