

21.03.2022

Sl. 94
Court No.29
suvayan
(Allowed)

CRM (A) 748 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tarapith** P.S. Case No. **51 of 2021** dated **20/12/2021** under Sections **341/323/324/354/307/379/34** of the Indian Penal Code, 1860.

And

In the matter of: Paresh Mal & Anr.

....petitioners.

Mr. Tirtho Pati Acharya
Mr. A. Ravid

...for the petitioners.

Mr. S. S. Imam
Mr. Arabinda Manna

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. The police complaint was lodged nine days subsequent to the lodgment of the First Information Report consequent upon an order passed under Section 156 (3) of the Criminal Procedure Code by the learned Magistrate.

Learned Advocate appearing for the State submits that the victim suffered a cut injury on the forehead.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that the possibility of the petitioners being falsely implicated as a counter blast to the earlier police complaint cannot be discounted at this stage, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties

of like amount each, 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 on condition that the petitioner No.1 will report before the Investigating Officer once in a month till the conclusion of the investigation and the petitioner No.2 will co-operate with the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 748 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

