

21.03.2022
Serial no. 110
[Dd]
(Anticipatory Bail
Allowed)

CRM (A) 778 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliganj** Police Station Case No. **492** of **2021** dated **16.09.2021** under Sections **498A/313/34** of the Indian Penal Code.

-And-

In the matter of : **Saharul Sk & Ors.**

... .. Petitioners

Mr. Atis Kr. Biswas,
Mr. Amit Singh,
Ms. Jyoti Agarwal, Advocate
... .. *For the Petitioners*

Mr. Sujoy Sarkar, Advocate
... ..*For the State*

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. There was a previous complaint lodged by the de facto complainant in respect of which, First Information Report was registered. Pressing such fact, the de facto complainant approached the learned Magistrate under Section 156(3) of the Criminal Procedure Code whereupon, the present police case was started.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the de facto complainant recorded under Section 161 of the Criminal Procedure Code and the medical report.

Considering the fact that the de facto complainant lodged a previous complaint and considering the gravity of

the offence and the involvement of the petitioners therein, we are inclined to 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 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 nos. 1 and 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 3 shall cooperate with the investigation till its completion and on further 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.

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

CRM (A) 778 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)