

22.03.2022

Sl. 84
Court No.29
Sc/SD
(Allowed)

C.R.M. (A) 802 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **15.02.2022** in connection with **Tehatta** P. S. Case No. **519** of **2021** dated **06.10.2021** under Sections **364/302/34** of the Indian Penal Code.

And

In the matter of: Basanti Sardar

....petitioner.

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Souvik Das
Ms. Anamitro Banerjee

...for the petitioner.

Mr. S.S. Imam
Mr. Arabinda Manna

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioner was falsely implicated. The other co-accused was enlarged on anticipatory bail by the Hon'ble Court. The police filed charge sheet and therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State draws attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure.

In such statement which is placed before us, under Section 161 of the Code of Criminal Procedure, the person claims that it is his belief that the petitioner was involved in the incident.

In view of such materials in the case diary as against the petitioner and in view of the fact that police filed charge sheet, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

C.R.M. (A) 802 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)