

08.03.2022

02

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 944 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chinsurah** Police Station Case No. **18** of **2022** dated **11.01.2022** under Sections 341/448/324/325/354/354B /506/509/34 of the Indian Penal Code, 1860.

And

In Re : Surendra Nath Kushwaha

..... petitioner

Mr. Nilanjan Bhattacharjee

Mr. Kaustav Shome

....for the petitioner

Petitioner seeks anticipatory bail.

Since the application is taken up for consideration subsequent to the order dated February 25, 2022, none appears for the State even on second call.

Learned advocate appearing for the petitioner submits that, the complaint was lodged by a relative of the victim and that too after 23 days of the incident.

Considering the materials made available in the petition and in absence of the case diary because of the non-appearance of the learned advocate appearing for the State, we are constrained 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 and on further condition that the petitioner shall meet the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)