

07.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1092 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **69** of **2022** dated **24.02.2022** under Sections 448/376/511 of the Indian Penal Code, 1860.

And

In Re : Jakir Sk. @ Jakirul Islam

..... petitioner

Mr. Mrityunjoy Chatterjee

Mr. Susnigdho Bhattacharya

....for the petitioner

Ms. Debjani Sahu

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner lent and advanced money to the husband of the de-facto complainant. When the petitioner went to recover the loan, he was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.). She submits that,, there are statement recorded under Section 161 of the Cr.P.C. of other witnesses seeing the petitioner to flee away from the spot.

Considering the fact that the loan transaction cannot be discounted at this stage and considering the fact that the possibility of the petitioner being falsely implicated also discounted. Consequently, 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/-, 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 fortnight 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.)

