

28.03.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1393 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **57** of **2021** dated **27.01.2021** under Sections 489B/489C of the Indian Penal Code, 1860.

And

In Re : Dhananjoy Mondal

..... petitioner

Mr. Ali Ahsan Alamgir

Ms. Riya Das

Ms. Rabia Khatoon

....for the petitioner

Mr. Neiguive Ahmed

Mr. Iqbal Kabir

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The police filed charge-sheet and, therefore, custodial interrogation of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Apparently, the police are proceeding against the petitioner on the basis of the statement of the co-accused made while in custody. No fake currency was recovered from the possession of the petitioner. The police filed charge-sheet.

In such circumstances, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)