

25.03.2022
tkm/ct 28
sl no.23

C.R.M.(A) 1396 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P.S case no. 184 of 2022 dated 14.3.2022 under sections 376/511 of the IPC
And

Allowed

In Re : Debabrata Kundu petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

..... for the petitioner

Mr. Imran Ali
Mr. N Dhali

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated due to prior enmity.

Learned lawyer for the State opposes the prayer for bail.

In view of the facts and circumstances of the case, we are of the opinion genuineness of the allegations requires to be considered in the light of the submission relating to prior enmity between the parties and petitioner may be granted anticipatory bail.

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, 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM(A) 1396 of 2022 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)