

07.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1593 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bongaon** Police Station Case No. **138** of **2021** dated **07.03.2021** under Sections 408/409/418/420/466/34 of the Indian Penal Code, 1860.

And

In Re : Sri Avijit Mondal

..... petitioner

Mr. Gourab Kumar Nath

....for the petitioner

Ms. Zareen N Khan

Md. Kutub Uddin

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner is only a labourer. The principal accused was enlarged on bail by the Jurisdictional Court.

Learned advocate appearing for the State submits that, the principal accused was granted statutory bail. She refers to the materials in the case diary.

Considering the fact that the principal accused is already on bail and considering the role of the petitioner in the incident, 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 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.)