

26.04.2022

Sl. 21
Court No.29
suvayan
(Allowed)

CRM (A) 1876 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. **262 of 2022** dated **12/04/2022** under Sections **326B/448/307/506/34** of the Indian Penal Code.

And

In the matter of: Alok Dutta & Ors.

....petitioners.

Mr. Rudradipta Nandy
Mr. Asraf Mandal
Ms. Sanjana Saha

...for the petitioners.

Ms. Anasuya Sinha
Mr. Pinak Kr. Mitra

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were enlarged on anticipatory bail by the order dated April 18, 2022 passed in CRM (A) 1692 of 2022 and CRM (A) 1701 of 2022. Thereafter, the present police complaint was lodged falsely implicating the petitioners.

Learned Advocate appearing for the State submits that the case diary does not contain any injury report of any of the victims.

Considering the fact that the police complaint was lodged to the earlier one where the petitioners are on anticipatory bail and considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each, to the satisfaction of the Arresting Officer and

subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner no.1 (*Alok Dutta*) and petitioner no.2 (*Ashim Dutta*) will report as and when called for by the Investigating Officer till the conclusion of the investigation and petitioner no.3 (*Kanika Dutta*) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1876 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)