

13.05.2022

Sl. 29
Court No.29
suvayan
(Allowed)

CRM (A) 2164 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gaighata** P.S. Case No. **1148/2021** dated **08/12/2021** under Sections **341/326/307/302/34** of the Indian Penal Code.

And

In the matter of: Monajit Biswas @ Biki Biswas

....petitioner.

Mr. Dipankar Guha

...for the petitioner.

Mr. Neguive Ahmed, Ld. APP

Mr. Iqbal Kabir

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was not named in the First Information Report.

Learned Additional Public Prosecutor refers to the materials in the case diary.

In response to a query of the Court, whether any eyewitnesses of the incident names the petitioner as the assailant or not, the answer is in the negative.

Considering the materials in the case diary depicting the involvement 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/- (Rupees Ten Thousand Only) 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 will report before 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.

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

CRM (A) 2164 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)