

10.06.2022

123
sdas
Allowed

C.R.M.(A) 2533 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baduria Police Station Case No. 155 of 2022 dated 22.03.2022 under Sections 447/323/325/376/511/34 of the Indian Penal Code.

And

In Re : Rased Molla @ Rashek Molla petitioner

Mr. Satadru Lahiri
Mr. Safdar Azam
.....for the petitioner

Mr. Rudradipta Nandy, learned APP
Ms. Sonali Das
....for the State

It is submitted by the learned Counsel appearing for the petitioner that money had been advanced to the husband of the de facto complainant. Upon demand for repayment, petitioner has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

We have considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner, we are of the opinion though custodial interrogation of the petitioner is not necessary, his movement requires to be restricted in order to instill confidence in the mind of victim.

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 conditions that the petitioner shall not enter the jurisdiction of Baduria Police Station while on anticipatory bail except for the purpose of investigation and attending the Court proceedings and shall provide the address where he shall reside to the investigating officer as well as the Court below and shall report to the officer-in-charge of the police station concerned where he shall presently reside once in a week until further orders. He shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)