

22.06.2022

20

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2895 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **68** of **2020** dated **08.02.2020** under Sections 448/341/323/376/506/34 of the Indian Penal Code, 1860.

And

In Re : Uday Mandal @ Udai Mandal & Ors.

..... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Pravas Bhattacharya

Mr. Pratick Bose

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the principal accused was arrested and is still in custody. The police filed charge-sheet. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) as also to the other materials in the case diary.

Considering the fact that the police filed charge-sheet and considering the 164 Cr.P.C. statement of the victim and considering the fact that the principal accused is still in

custody, we deem it appropriate to enlarge the petitioners on anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)