

21.06.2022
Serial no. 26
Aloke

CRM (A) 2916 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 707 of 2018 dated 26.09.2018 under Sections 305/509/34 of the Indian Penal Code.

-And-

In the matter of : **Jabed Aktar @ Jabed Akter @ Javed Akhter**
... ... Petitioner

Mr. Kallol Mondal, Advocate
Mr. Krishan Ray, Advocate
Mr. Arup Sarkar, Advocate
Mr. Souvik Das, Advocate
Mr. Debayan Ghosh, Advocate

... ... For the Petitioner

Mr. Arijit Ganguly, Advocate
Ms. Manisha Sharma, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the date of incident occurred in 2018. A charge-sheet was submitted. The petitioner was discharged. Thereafter, further investigation was directed on the prayer of the de facto complainant whereupon a fresh charge-sheet was filed in April 2022 falsely implicating the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that the incident is of 2018 with an initial charge-sheet discharging the petitioner and considering the materials in the case diary, we are inclined to 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

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 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2916 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)