

21.06.2022
Serial no. 28
Aloke

CRM (A) 2918 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 288 of 2022 dated 08.05.2022 under Sections 448/376/511/509/325/379 of the Indian Penal Code.

-And-

In the matter of : **Sasti Mondal @ Shashti Mondal**
... .. Petitioner

Mr. Anit Dey, Advocate

... .. For the Petitioner

Mr. Arup Mondal, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He submits that the present police complaint was started on the basis of an order passed under Section 156(3) of the Code of Criminal Procedure. He highlights the time lag between the date of the alleged incident and the date when the approach was made to the Court.

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

Considering the materials in the case diary and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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) 2918 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)