

05.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3147 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sainthia** Police Station Case No. **134** of **2022** dated **15.05.2022** under Sections 448/325/354/506/34 of the Indian Penal Code, 1860.

And

In Re : Sk. Najir @ Sekh Najiruddin & Anr.

..... petitioners

Mr. Sujoy Sarkar

....for the petitioners

Mr. Atif Ahmed Siddiqui

Mr. Partha Sarathi Basu

Ms. Amrin Khatun

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. One of the family member of the petitioner filed a proceeding under Section 498A of the Indian Penal Code against the de-facto complainant, whereupon the present police case was lodged.

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

The contention of the petitioners are that they were falsely implicated in view of the earlier police complaint lodged by the niece of the petitioner no. 1, inter alia, under Section 498A of the Indian Penal Code against the family members of the

petitioner no. 1 cannot be overlooked. Consequently, we grant anticipatory bail to the petitioners.

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 further condition that the petitioner no. 1 (Sk. Najir @ Sekh Najiruddin) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 2 (Rasaba Bibi @ Rosaba Bibi) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear on every date 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.)

