

06.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3176 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haringhata** Police Station Case No. **37** of **2022** dated **06.02.2022** under Sections 147/148/149/186/188/325/307/333/279/506 of the Indian Penal Code, 1860.

And

In Re : Riju Das @ Rijul Das @ Rizu @ Rizu Das

..... petitioner

Ms. Sananda Bhattacharya

....for the petitioner

Ms. Minoti Gomes

Ms. Ratna Ghosh

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The police filed charge-sheet and, therefore, custodial interrogation of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that, petitioner is the part of the mob who assaulted the civil volunteer.

Considering the fact that the police filed charge-sheet and considering the fact that three of the accused were taken into custody and considering the fact that the petitioner is not the

owner of the motor cycle seized, we 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/-, 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 petitioner 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 petitioner 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.)