

C.R.M. (A) 3247 of 2022

11.07.2022
Sl. 7
Court No.29
(AD)
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **515** of **2022** dated **24.06.2022** under Sections **448/376/511/326/307/427/34** of the Indian Penal Code, 1860.

And

In the matter of: **Amaresh Ghosh & Ors.**

....petitioners.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners lodged a police complaint on June 10, 2022, *inter alia*, under Sections 447/427/34 of the Indian Penal Code against the de facto complainant and others. The present police case was lodged subsequent to the proceedings under Section 156(3) of the Criminal Procedure Code.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that there is a previous police complaint and considering the delay in lodgment of the present police complaint case and considering the materials in the case diary, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a fortnight 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3247 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)