

11.07.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3271 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **43** of **2022** dated **13.01.2022** under Sections 448/323/376/511/34 of the Indian Penal Code, 1860.

And

In Re : Laltu Mohan Goswami @ Pocha

..... petitioner

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

....for the petitioners

Mr. Arup Sarkar

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the wife of the petitioner lodged a complaint, inter alia, under Section 354 of the Indian Penal Code against the husband of the de-facto complainant. Thereafter, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

The possibility of the petitioner being falsely implicated cannot be overlooked at this stage.

The police complaint of the wife of the petitioner is prior in point of time.

In such circumstances, 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 further condition that the petitioner shall meet the Investigating Officer as and when called for till the conclusion of the investigation 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.)

