

12.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3305 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nandakumar** Police Station Case No. **138** of **2021** dated **27.03.2021** under Sections 341/323/354/376/511/506/34 of the Indian Penal Code, 1860.

And

In Re : Tapas Pradhan

..... petitioner

Mr. Amal Krishna Samanta
....for the petitioners

Md. Anwar Hossain
Ms. Manisha Sharma
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner lodged a previous police complaint. There are disputes with regard to an immovable property with the de-facto complainant and her family members.

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.) and the materials in the case diary.

There is a previous police complaint.

There are materials in the case diary to suggest that there are civil disputes with regard to an immovable property between

the private parties. False implication of the petitioner cannot be ruled out at this stage. The police filed charge-sheet.

Consequently, 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.)