

03.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3710 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nadial** Police Station Case No. **68** of **2022** dated **08.04.2022** under Sections 448/427/379/34 of the Indian Penal Code, 1860.

And

In Re : Monira Begum @ Monira Khatun

..... petitioner

Mr. Iqbal Hossain

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner filed a civil suit and obtained an order of injunction. Thereafter, the police complaint was lodged.

Learned advocate appearing for the State submits that, other co-accused approached the Jurisdictional Court and obtained bail after surrender. They complied with the notice issued under Section 41A of the Code of Criminal Procedure (Cr.P.C.).

Considering the fact that there was a prior civil suit filed on behalf of the petitioner and considering the fact that the

petitioner complied with 41A Cr.P.C. notice, 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 once a fortnight 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.)