

04.08.2022
Serial no.16
Aloke

CRM (A) 3714 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Joypur Police Station Case No. 04 of 2022 dated 14.01.2022 under Sections 143/341/323/324/325/308/506 of the Indian Penal Code and subsequently Section 302 of the Indian Penal Code is added.

-And-

In the matter of : **Mahabbat Khan**

... .. Petitioner

Mr. Ayan Basu, Advocate

Mr. Sandip Kr. Mondal, Advocate

Mr. Sumit Routh, Advocate

... .. For the Petitioner

Mr. Sanjay Bardhan, Advocate

Ms. Baishali Chatterjee, Advocate

... ..For the State

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

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

The statement recorded under Section 164 of the Code of Criminal Procedure does not contain the name of the petitioner. Moreover, the police are unable to show any criminal antecedents so far the petitioner is concerned.

Consequently, we are inclined to 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/- (Rupees Ten Thousand Only), 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 meet the Investigating Officer once in a week till the conclusion of the investigation and on

further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3714 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)