

04.08.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3729 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **560** of **2022** dated **28.06.2022** under Sections 323/376/447/448/506/511/34 of the Indian Penal Code, 1860.

And

In Re : Sabyasachi Das & Anr.

..... petitioners

Mr. Swapan Kumar Mallick

Ms. Sudeshna Das

....for the petitioners

Mr. Binoy Panda

Mr. Subham Bhakat

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, there are number of police cases pending as against the de-facto complainant.

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.).

There are police cases between the private parties. There is an issue of false implication involved.

Considering the materials in the case diary including the 164 Cr.P.C. statement of the victim, 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/- each, 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 petitioners shall meet 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)