

22.08.2022

Sl.12

Court No.29

(AD)

(Allowed)

C.R.M. (A) 3969 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **124 of 2022** dated **29.03.2022** under Sections **448/323/326/307/379/34** of the Indian Penal Code and corresponding to GR No.1873 of 2022.

And

In the matter of: **Rajkumar Mandal**

....petitioner.

Mr. Kalidas Saha

...for the petitioner.

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that there was a delay of two months in the lodgment of the complaint under Section 156(3) of the Code of Criminal Procedure. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the injury suffered by the victim.

Considering the delay in the lodgment of the proceedings under Section 156(3) of the Code of Criminal Procedure and considering the materials in the case diary, 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/- (Rupees Ten Thousand Only), with two sureties of

like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3969 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)