

23.08.2022

16

Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 4003 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **913** of **2022** dated **16.07.2022** under Sections 120B/420/406/468/471/34 of the Indian Penal Code, 1860.

And

In Re : Md. Zaid Anwar & Anr.

..... petitioners

Mr. Subhasish Mishra

Mr. Nazar Chowdhury

Ms. Priyanka Saha

Mr. M. Abdul Salik

....for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioner no. 1 and the de-facto complainant are married. He refers to the marriage certificate. He submits that, the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the de-facto complainant recorded under Section 161 of the Code of Criminal Procedure.

There is a certificate of marriage, which the petitioners rely upon in the petition for anticipatory bail.

In such circumstances, 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.)**