

26.08.2022
Serial no. 21
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 4092 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Barjora** Police Station Case No. **104** of **2022** dated **10.06.2022** under Sections **379/411/413/414/120B** of the Indian Penal Code.

-And-

In the matter of : **Asif Ali Khan @ Ashek Ali Khan**
... .. Petitioner

Mr. Soumik Ganguli, Advocate
... .. For the Petitioner

Mr. Noguive Ahmed, Id APP
Ms. Ayantika Ray, Advocates
... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner deals with iron scrap. The petitioner was falsely implicated.

Learned Additional Public Prosecutor draws the attention of the Court to the materials in the case diary. He submits that about 7 tonnes of iron scrap were recovered from the property belonging to the petitioner without any documents.

No person lodged any police complaint with regard to the theft of any iron scrap.

In such circumstances, 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 further condition that the petitioner shall report before the Investigating Officer as and when called for 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) 4092 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)