

30.08.2022
Sl.35
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4144 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Md.Bazar** Police Station Case No. **238** of **2022** dated **26.07.2022** under Sections **406/420/120B** of the Indian Penal Code.

And

In the matter of: **Babusona Naskar**

....petitioner.

Mr. Suryasarathi Basu

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

Petitioner prays for anticipatory bail.

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

The de facto complaint took the vehicle belonging to the petitioner on hire. The de facto complainant did not pay hire charges. The petitioner lodged a police complaint. Thereafter, the present police complaint was lodged.

Learned Advocate appearing for the State submits that the petitioner is not responding to the notice issued under Section 41A of the Code of Criminal Procedure.

There is a previous police complaint lodged by the petitioner. The issue of false implication of the petitioner cannot be overlooked at this stage. In such circumstances, 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 as and when called for 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) 4144 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)