

31.08.2022
Serial no. 08
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 4148 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **788** of **2021** dated **30.07.2021** under Sections **436/34** of the Indian Penal Code.

-And-

In the matter of : **Uwjjal Mandal @ Ajit**
... .. Petitioner

Mr. Amitava Karmakar,
Mr. Arup Kumar Bhowmick, Advocates
... .. *For the Petitioner*

Mr. Soumik Ganguli, Advocate
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is a civil suit between the private parties.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case dairy including the statement of the eye-witnesses under Section 161 of the Criminal Procedure Code.

Some of the co-accuseds were granted bail as well as anticipatory bail by the jurisdictional Court.

There is a civil suit between the private parties. Police filed charge sheet.

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 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) 4148 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)