

08.09.2022
Serial no.15
Aloke

CRM (A) 4324 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 57 of 2022 dated 22.06.2022 under Sections 448/506/376/511 of the Indian Penal Code.

-And-

In the matter of : **Lakhi Mantri @ Lakhi Kanta Mantri**

... .. Petitioner

Mr. Prosenjit Mukherjee, Advocate
Mr. Aslam Parvez, Advocate

... .. For the Petitioner

Mr. S.S. Imam, Advocate
Mr. R. Jana, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

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

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The issue of false implication of the petitioner cannot be overlooked given the contention of the petitioner that the petitioner owns a shoe shop from where the petitioner made over shoes to the de facto complainant as also money, and when he demanded the payment with the same, the present police complaint was lodged.

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 condition that the petitioner shall meet the Investigating Officer once in a fortnight 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) 4324 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)