

09.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4358 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rampurhat** Police Station Case No. **388** of **2022** dated **13.07.2022** under Section 363 of the Indian Penal Code, 1860.
And

In Re : Rafikul Islam @ Bicky Sk

..... petitioner

Mr. Bitasok Banerjee
Mr. Bibaswan Bhattacharya
....for the petitioner

Mr. Bidyut Kumar Roy
Ms. Sima Biswas
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. There is a dispute with regard to money transactions.

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.

Apparently, there were some transactions with regard to money between the private parties. The issue of false implication cannot be overlooked at this stage. Consequently, 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/-, 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)