

06.01.2022
Serial no.14

Aloke
Ct. No. 29

(Through Video Conference)

CRM 9012 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.12.2021 in connection with Airport Police Station Case No. 01 of 2017 dated 02.01.2017 under Sections 468/471/120B of the Indian Penal Code.

-And-

In the matter of : **Mohini Khandelwal**

... ..Petitioner

Mr. Ayan Banerjee, Advocate

Mr. Shabir Ahmed, Advocate

Ms. Debarsree Dhanmali, Advocate

... .. For the Petitioner

Mr. Rudradipta Nandy, Advocate

... .. For the State

It is submitted on behalf of the petitioner that there are matrimonial disputes between the parties and the petitioner has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. No statement of the doctor whose prescriptions are alleged to be forged has been taken. Without such materials on record, charge-sheet has been filed.

In view of the aforesaid lacuna in investigation and the pre-existing enmity between the parties, we are of the opinion there is high likelihood of false implication of the petitioner and she may be granted anticipatory bail.

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 with a further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM 9012 of 2021 is disposed of.

(Joymalya Bagchi, J.)

(Bibhas Ranjan De, J.)