

19.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4473 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **215** of **2022** dated **05.03.2022** under Sections 448/376/506 of the Indian Penal Code.

And

In Re : Ajimuddin @ Ajim

..... petitioner

Ms. Minoti Gomes

....for the petitioner

Mr. Soumik Ganguly

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The daughter of the petitioner lodged three cases against her husband, who is the son of the petitioner. As a counter-blast, the mother of the son-in-law of the petitioner filed the present police complaint.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

In the facts and circumstances of the present case, the issue of false implication of the petitioner cannot be overlooked in view of the three previous complaint lodged by the daughter of the petitioner against the son of the de-facto complainant.

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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)