

21.09.2022
Serial no. 21
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 4504 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bauria** Police Station Case No. **149** of **2022** dated **11.08.2022** under Sections **447/354B/379/506** of the Indian Penal Code and Sections **8/12** of the POCSO Act.

-And-

In the matter of : **Subid Sha @ Subid Sa**
... .. Petitioner

Mr. Subhasish Panchhal,, Advocate
... .. *For the Petitioner*

Mr. Tanmoy Kr. Ghosh, Id. Sr. G.A
Ms. Pritha Paul, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate for the petitioner submits that the petitioner was falsely implicated. The petitioner wanted refund of the loan when the present police case was lodged.

Learned advocate appearing for the State refers to the statement recorded under Section 164 of the Criminal Procedure Code as well as the materials in the case dairy.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is an issue of false implication, 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 report before 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) 4504 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)