

27.09.2022

Sl.13

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4575 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. **993 of 2022** dated **25.08.2022** under Sections **323/376 and 448** of the Indian Penal Code, 1860.

And

In the matter of: **Raihan Ali @ Rahiyan Ali**

....petitioner.

Mr. Soupal Chatterjee

Ms. Sucheta Banerjee

...for the petitioner.

Mr. Sujan Chatterjee

...for the State.

Petitioner prays for anticipatory bail.

There is a delay of about a month in lodgment of the First Information Report.

There is a previous police complaint lodged at the instance of the petitioner against the family members of the de facto complainant.

In such circumstances, the plea of false implication raised on behalf of the petitioner cannot be overlooked at this stage.

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/- (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 on condition that the

petitioner will report before 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4575 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)