

07.11.2022
Serial no.34
Aloke

CRM (A) 4767 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Englishbajar Police Station Case No. 1653 of 2021 dated 29.11.2021 under Sections 341/376/511/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sachin Roy**

... .. Petitioner

Mr. Pulakesh Bajpayee, Advocate

... .. For the Petitioner

Mr. B.K. Roy, Advocate

Ms. Sima Biswas, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

There are disputes with regard to the immovable property within the family. The present police case is an offshoot of such disputes.

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

Apparently, there are case and counter case between the parties. Other co-accused was granted bail by the jurisdictional Court.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the materials in the case diary and considering the fact that the police filed charge-sheet, 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 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) 4767 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)