

13.10.2022.

125

NB/sws.m

(Allow).

C.R.M. (A) 4927 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kaliganj P. S. Case No.524 of 2022 dated 16.08.2022 under Sections 148/149/447/436/427/325/307 of the Indian Penal Code.

In the matter of : Ashu Sk @ Ash Mohammed Mondal & Ors.
... Petitioners.

Ms. Karabi Roy.

...for the Petitioners.

Mr. Narayan Prasad Agarwala,
Mr. Pratick Bose.

.....for the State.

Heard learned lawyers appearing for the parties.

Petitioners submit immoral activities were being carried out in a restaurant inside the park. Local villagers protested and a criminal case was registered. In retaliation, petitioners have been falsely implicated.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Plea of false implication requires to be assessed in the light of an earlier criminal case registered against the husband of the de facto complainant at the behest of the petitioners.

Keeping in mind the aforesaid circumstance and the general and omnibus nature of allegations levelled against the petitioners, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest the petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date and on further condition that the petitioners shall meet the Investigating Officer once in a week until further order.

This application for anticipatory bail is, thus, disposed of.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)