

18.10.2022

Sl. 9
Court No.29
Suvayan/
Sourav
(Allowed)

CRM (A) 4984 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kalyani** P.S. Case No. **553 of 2022** dated **25/09/2022** under Sections **376/417/506/406/34** of the Indian Penal Code, 1860.

And

In the matter of: **Bimal Das & Anr.**

....petitioners.

Mr. Shekhar Barman

...for the petitioners.

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated, subsequent to a matrimonial suit being filed at the behest of their son against the *de facto* complainant.

Learned Advocate appearing for the state in his usual fairness submits that he did not find any material in the case diary implicating any of the petitioners.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each 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 no. 1 (Bimal Das) will report as and when called for by the Investigating Officer till the conclusion of the investigation

and the petitioner no. 2 (Gopa Das) shall co-operate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear every day 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

CRM (A) 4984 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)