

09.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5108 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **941** of **2022** dated **20.10.2022** under Sections 448/427/323/325/307/354B/506/34 of the Indian Penal Code, 1860.

And

In Re : Sajed Mondal & Ors.

..... petitioners

Mr. Asraf Mondal

....for the petitioners

Mr. Pravas Bhattacharya

Mr. MFA Begg

....for the State

Petitioners claim that they were falsely implicated and that the present police complaint is a counter-blast to the earlier police complaint lodged.

We perused the statement of the victim recorded under Section 161 of the Code of Criminal Procedure.

In view of the nature of the incident, the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, 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/- each, 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 nos. 1 (Sajed Mondal), 2 (Sahed Mondal), 3 (Hamid Mondal @ Hamidul Mondal) and 5 (Rahaman Mondal) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 4 (Sahinur Bibi) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)