

09.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5109 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hariharpara** Police Station Case No. **157** of **2021** dated **21.04.2021** under Sections 365/34 of the Indian Penal Code, 1860.

And

In Re : Polash Vaskar @ Palash Vaskar

..... petitioner

Mr. Somnath Adhikary

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Pritha Paul

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure states that, she left with the petitioner voluntarily.

The police filed charge-sheet.

The victim is a married lady.

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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)