

16.11.2022
Serial no.10
Aloke

CRM (A) 5209 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sainthia Police Station Case No. 292 of 2022 dated 21.09.2022 under Sections 448/323/354B/506 of the Indian Penal Code.

-And-

In the matter of : **Paban Mahara**

... .. Petitioner

Mr. Sujoy Sarkar, Advocate

... .. For the Petitioner

Mr. Binay Panda, Advocate

Mr.Subham Bhakat, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that there are property dispute between the family of the petitioner and the family of the de facto complainant. There is a previous police complaint against the mother-in-law of the de facto complainant.

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

The issue of false implication cannot be overlooked in view of the previous police complaint. Apparently, there are property disputes between the private parties.

The police filed charge-sheet.

In such circumstances, 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) 5209 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)