

17.11.2022
Serial no. 28
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5261 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. **795** of **2022** dated **14.09.2022** under Sections **448/323/325/376/511/506/34** of the Indian Penal Code.

-And-

In the matter of : **Basu Das @ Basudeb Das**
... .. Petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee, Advocates
... .. *For the Petitioner*

Mr. Arijit Ganguly,
Mr. Sujan Chatterjee, Advocates
... ..*For the State*

There is a civil suit pending between the private parties.

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code, the materials in the case diary and the fact that there is a civil suit pending between the private parties, 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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) 5261 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)