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(AD) 24.11.2022

C.R.M. (A) 5392 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rampurhat** Police Station Case No.**376 of 2022** dated **08/09/2022** under Sections **436/34** of the Indian Penal Code & G. R. Case No.1145 of 2022.

And

In the matter of: **Sukhen Saha @ Suken Saha**

....petitioner.

Mr. Prosenjit Mukkherjee

...for the petitioner.

Ms. Faria Hossain

Ms. Baisali Basu

Ms. Mamata Jana

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the case diary does not contain any statement recorded under Section 161 or 164 of the Code of Criminal Procedure which claims that such person saw the petitioner put the house on fire.

The police filed charge sheet.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each to the satisfaction of the Arresting Officer and also 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5392 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)