

01.12.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5583 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **283** of **2022** dated **07.08.2022** under Sections 448/376/511/307/34 of the Indian Penal Code, 1860.

And

In Re : Sanjib Saha @ Sanjit Saha

..... petitioner

Mr. Asraf Mondal

....for the petitioner

Mr. Neguive Ahmed

Ms. Ayantika Ray

....for the State

There is a delay of 17 days in the lodgment of the First Information Report.

Apparently, materials in the case diary does not rule out the possibility of the police complaint being lodged due to prior enmity and as a counter-blast.

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 further condition that the

petitioner shall meet the Investigating Officer once a month till the conclusion of the investigation 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.)