

02.12.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5619 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 : Prasanta Saha

..... petitioner

Mr. Asraf Mondal

....for the petitioner

Mr. Iqbal Kabir

....for the State

The issue of false implication of the petitioner in the facts and circumstances of the present case cannot be overlooked.

The wife of the petitioner lodged a police complaint against the husband of the de-facto complainant prior in point of time.

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 as and when

called for 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.)