

05.12.2022
Serial no. 28
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5646 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Contai** Police Station Case No. **381** of **2022** dated **24.09.2022** under Sections **380** of the Indian Penal Code.

-And-

In the matter of : **Sagar Panda**

... .. Petitioner

Mr. Pinaki Addy,
Mr. Basudeb Mukherjee,, Advocates
... .. *For the Petitioner*

Md. Anwar Hossain,
Ms. Sreyashee Biswas,Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He refers to a prior police complaint dated September 13, 2022. He submits that the petitioner and his father were taken to a village mediation and made to sign a document.

Learned advocate for the State draws the attention of the Court to the materials in the case diary and the statement of the father of the petitioner recorded under Section 161 of the Criminal Procedure Code.

Apparently, the petitioner is sought to be implicated in a case of theft.

There is a previous police complaint dated September 13, 2022 lodged at the behest of the petitioner, *inter alia*, against the de facto complainant of the present police case.

Therefore, the issue of false implication of the petitioner with the petitioner being sought to be roped in due to prior enmity cannot be ruled out at this stage.

Consequently, 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 month 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) 5646 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)