

21.12.2022
Serial no.17
Aloke

CRM (A) 5910 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. 422 of 2022 dated 03.12.2022 under Sections 448/376 of the Indian Penal Code.

-And-

In the matter of : **Parimal Mondal**

... .. Petitioner

Mr. Asraf Mandal, Advocate

... .. For the Petitioner

Mr. Arijit Ganguly, Advocate

Mr. Sujan Chatterjee, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the medical report of the victim.

Apparently, the petitioner is the neighbour of the victim.

The case diary as of date does not contain any statement of any post occurrence witness. Nothing was shown to corroborate the statement of the de facto complainant at this stage.

In such circumstances, 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 condition that the petitioner will 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) 5910 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)