

12 16.01.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 112 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pingla** P.S. Case No.**451 of 2022** dated **13/12/2022** under Sections **447,323,307,354B,379,506 & 34** of the Indian Penal Code, 1860.

And

In the matter of: **Saktipada Maity & Ors.**

....petitioners.

Mr. Siddhartha Sarkar

...for the petitioners.

Mr. Joydeep Roy

Ms. Sujata Das

...for the State.

Petitioners pray for anticipatory bail.

There is an element of false implication involved.

A previous police complaint was lodged by the petitioner no.3, *inter alia*, under Section 498A of the Indian Penal code, 1860 against the de facto complainant.

Possibility of the petitioners now being falsely implicated as a counterblast cannot be overlooked at this stage.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 further condition that the petitioner nos.1 and 5 will report before the Investigating Officer as and when called for till the conclusion of

the investigation and petitioner nos.2,3 and 4 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 112 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)