

17.01.2023

15

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 172 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1295** of **2022** dated **09.11.2022** under Sections 406/420 of the Indian Penal Code.
And

In Re : Phoni Bhusan Chowdhury

..... petitioner

Mr. B. Chakraborty

....for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kumar Dutta

....for the State

There is an issue of false implication of the petitioner.

The petitioner complained to diverse authorities with regard to certain defalcations of funds of central projects by the Panchayet. Such complaints were prior in point of time than the present police complaint.

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.)