

19.01.2023
21 & 22
Ct. No. 29
KAUSHIK
ALLOWED

C.R.M.(A) 262 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **20** of **2023** dated **08.01.2023** under Sections 448/323/325/307/354/379/506/34 of the Indian Penal Code.
And

In Re : Nripen Mondal @ Nripendra Nath Mondal & Anr.
..... petitioners

with

C.R.M.(A) 263 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **23** of **2023** dated **08.01.2023** under Sections 448/376/511/506/323/307/34 of the Indian Penal Code.
And

In Re : Nripen Mondal @ Nripendra Nath Mondal & Anr.
..... petitioners

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee
....for the petitioners in both the applications

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra
....for the State in CRM(A) 262 of 2023

Mr. S. S. Imam
Mr. S. Kundu
....for the State in CRM(A) 263 of 2023

Two applications for anticipatory bail are taken up for consideration analogously as the petitioners in both the applications are same and the police stations are the same.

Apparently, a number of police complaints were lodged as against the petitioners in the same police station. The petitioners are on anticipatory bail in such police cases.

The disputes relate to an immovable property.

The issue of false implication is also present.

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/- each, 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 petitioners shall meet the Investigating Officer as and when called for 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 petitioner in Court including canceling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

