

06.02.2023

Sl.11
Court No.29
(AD)
(Allowed)

C.R.M. (A) 451 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with GR Case No.3575 of 2021 arising out of **Gaighata** Police Station Case No.**802 of 2021** dated **05.09.2021** under Sections **4/5/6/7** of the Immoral Trafficking (Protection) Act, 1956.

And

In the matter of: **Biswajit Ghosh**

....petitioner.

Mr. Susnigdho Bhattacharyya ... for the petitioner.

Mr. Neguive Ahmed, Ld. APP
Ms. Trina Mitra

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated due to his allegiance to a political ideology.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary and to a report dated February 3, 2023.

Apparently, a victim was recovered from a particular property.

The petitioner is not the owner of such property. It is claimed that the petitioner was a caretaker of such property.

There are materials in the case diary of neighbours claiming that the petitioner is the owner of the property.

The report dated February 3, 2023 states that the petitioner is not the owner of the property.

Issue of false implication remains.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and 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 a fortnight 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 451 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)