

06.02.2023

Sl.13

Court No.29

(AD)

(Allowed)

C.R.M. (A) 458 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.1699 of 2022 arising out of **Itahar** Police Station Case No. **363 of 2022** dated **23.06.2022** under Sections **448/435/436/323/325/307/506/509/120B/34** of the Indian Penal Code, 1860.

And

In the matter of: **Peshkar Ali @ Mistri @ Peskar Ali**

....petitioner.

Mr. Amit Ranjan Pati

Mr. Ashok Halder

Ms. Reshmi Mukherjee

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Ms. Sayanti Santra

...for the State.

Petitioner prays for anticipatory bail.

There is a delay of 45 days in the lodgment of the First Information Report.

The statement recorded under Section 164 of the Code of Criminal Procedure claims that a person was set on fire and that such person was rescued.

There is no injury report suggesting that any person suffered burn injuries.

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 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.

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

C.R.M. (A) 458 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)