

February 06, 2023
(48) ARDR
Allowed

CRM (A) 516 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **267 of 2022** dated **01/11/2022** under Sections **342/323/325/363/365/34** of the Indian Penal Code.

And

In the matter of: **Rasul Sekh @ Rasul Mondal & ors.**

....petitioners.

Adv. Asraf Mandal,

...for the petitioners.

Adv. Avishek Sinha,

...for the State.

Leave granted to the petitioners to correct the cause title.

There is a previous police complaint against the family members of the de-facto complainant.

There is an issue of false implication involved.

Considering the material in the case diary and the gravity of the offence and involvement of the petitioners in this incident 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1, and 2 namely, Rasul Sekh @ Rasul Mondal and Rahul Shaikh @ Rahul Mondal will report before the Investigating Officer

once in a fortnight till the conclusion of the investigation and on further condition that the petitioner nos.3 and 4, namely, Resenara Sekh @ Rosena Bibi @ Rusna Bibi and Surmila Khatun @ Bibi will cooperate with the investigation till the conclusion of the investigation and on further 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.

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

C.R.M. (A) 516 of 2023 is thus, **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)