

16.02.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 711 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **289** of **2022** dated **06.05.2022** under Sections 417/376/406/506/34 of the Indian Penal Code, 1860.

And

In Re : Ganapati @ Gonopati Mondal & anr.

..... petitioners

Mr. Shibaji Kumar Das,

Ms. Rupsa Sreemani,

Ms. Riya Sarkar

....for the petitioners

Mr. Pravas Bhattacharya,

Mirza Firoj Ahmed Begg

....for the State

Petitioners pray for anticipatory bail.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code suggest that there were a preexisting relationship between one Abhijit and the defacto complainant. Both are adults.

The petitioners are not named in the statement recorded under Section 164 of the Criminal Procedure Code.

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 petitioner no. 1, namely, Ganapati @ Gonopati Mondal shall report before the Investigating Officer once in a month and petitioner no.2, namely, Ratna @ Ratna Mondal shall cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)