

17.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 724 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **823** of **2022** dated **10.09.2022** under Sections 498A/302/506/34 of the Indian Penal Code.

And

In Re : Choton Mahaldar @ Chhotan Mahaldar & Anr.

..... petitioners

Mr. Sagar Saha

....for the petitioners

Mr. S.G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

The State did not oppose the claim for parity with the other co-accuseds, who were enlarged on anticipatory bail by the order dated November 15, 2022 passed in CRM(A) 5191 of 2022.

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 (Choton Mahaldar @ Chhotan Mahaldar) shall

meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no. 2 (Chanchala Mahaldar @ Chanchal Kumari) shall cooperate with the Investigating Officer 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 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.)