

27.02.2023
Serial no. 14
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 836 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jorasanko** Police Station Case No. **183** of **2019** dated **09.07.2019** under Sections **406/420/379/120b** of the Indian Penal Code (corresponding to G.R. no. 801 of 2019)

-And-

In the matter of : **Sandeep Sharma**

... .. Petitioner

Mr. Debajyoti Deb,
Ms. Somdyuti Parekh, Advocates
... .. *For the Petitioner*

Mr. Soumik Ganguli, Advocate
... ..*For the State*

There is a previous complaint under Section 138 of the Negotiable Instrucment Act, 1881 as against the brother-in-law of the de facto complainant initiated at the instance of the petitioner.

The present police case is dated July 9, 2019. Apparently, for the first time, a notice under Section 41A of the Criminal Procedure Code was issued to the petitioner on December 1, 2022.

In such circumstances, there is an issue of false implication involved.

There is an order granting protection to a co-accused.

In such circumstances, we are inclined to 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 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 shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 836 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)