

01.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 893 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pingla** Police Station Case No. **409** of **2022** dated **16.11.2022** under Sections 406/420/34 of the Indian Penal Code, 1860.

And

In Re : Alauddin Molla

..... petitioner

Mr. Ayan Basu

Mr. Sandip Kumar Mondal

Mr. Sumit Routh

Ms. Riya Das

....for the petitioner

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

....for the State

Police filed charge-sheet.

There is a delay of five months in the lodgment of the First Information Report.

The vehicle was recovered.

Apparently, there are disputes, which are civil in nature between the de-facto complainant as the owner of the vehicle, the petitioner and the driver of the vehicle.

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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)