

02.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 927 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **128** of **2023** dated **16.02.2023** under Sections 448/376/506 of the Indian Penal Code.

And

In the matter of: Ram Prasad Mondal

..... petitioner

Mr. Asraf Mandal

....for the petitioners

Mr. Tanmoy Kr. Ghosh,

Ms. Pritha Paul

....for the State

There is an issue of false implication involved.

The mother of the petitioner lodged a complaint against the husband of the de facto complainant earlier in point of time *inter alia* under Section 376 of the Indian Penal Code, 1860.

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 further condition that the petitioner shall report before the Investigating Officer once in a

month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)