

14.03.2023

Sl.46

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1059 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murrai** Police Station Case No.**35 of 2023** dated **16.02.2023** under Sections **341/354(B)/325/308/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Motin Sk @ Sabu Sk & Ors.**

....petitioners.

Mr. Koustav Bagchi

Mr. Debayan Ghosh

Ms. Priti Kar

... for the petitioners.

Mr. Anowar Hossain

Mr. Arif Ekbal Molla

...for the State.

Petitioners pray for anticipatory bail.

Petitioners claimed themselves to subscribe a particular political ideology.

It is claimed on behalf of the petitioners that they complained with regard to a land scam. It is subsequent thereto that the petitioners were falsely implicated in the present police case.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including a statement recorded under Section 164 of the Code of Criminal Procedure.

The issue of false implication requires consideration.

Apparently, the petitioners are sought to be victimized due to their subscription to a particular political ideology.

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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a month 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1059 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)