

23.03.2023

Sl.11
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1185 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.**768 of 2022** dated **05.09.2022** under Sections **498A/307/325/376/34** of the Indian Penal Code.

And

In the matter of: **Kanai Biswas**

....petitioner.

Mr. Raja Biswas
Mr. Abhijit Sarkar

... for the petitioner.

Mr. Pravas Bhattacharya
Mr. M.F.A. Begg

...for the State.

Petitioner prays for anticipatory bail.

The allegation of rape is not against the petitioner.

Other co-accuseds were enlarged on bail.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, 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/- (Rupees Ten Thousand Only), 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 petitioner will report before the Investigating Officer once a month till the conclusion of the investigation 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.

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

C.R.M. (A) 1185 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)