

29.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1314 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amta** Police Station Case No. **61** of **2023** dated **06.03.2023** under Sections **342/323/406/420/506** of the Indian Penal Code.

And

In the matter of : Nikhil Ghosh

..... petitioner

Mr. Rabi Sankar Chattopadhyay,
Mr. Sayan Chattopadhyay,
Mr. Imteaz Ahmed,
Mr. Rokon Ali Molla

....for the petitioner

Mr. Tanmoy Kr. Ghosh,
Mr. Asraf Mondal

....for the State

Petitioner claims himself to be of political personality and being falsely implicated.

There is a complaint as against the petitioner taking money on the promise of providing benefits under certain schemes of the government to the de facto complainant.

There is no material in the case diary corroborating the claim that money went from de facto complainant to the petitioner.

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/- (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 will report before the Investigating Officer once in a month till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)