

30.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1340 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hare Street** Police Station Case No. **40** of **2023** dated **12.02.2023** under Sections 120B/403/406/420/506 of the Indian Penal Code, 1860.

And

In Re : Satish Mishra & Ors.

..... petitioners

Mr. Birendra Nath Jha

Mr. Anish Das

....for the petitioners

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

....for the State

Excepting petitioner no. 3, learned advocate appearing for the State submits on the basis of Memo of Evidence, which be taken on record, the State does not require custodial interrogation of the said petitioner.

The materials in the case diary do not suggest requirement of custodial interrogation of the petitioners.

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/- each, 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 nos. 1 (Satish Mishra) and 3 (Ram Kumar Jha) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 2 (Mrs. Subhadra Mishra) and 4 (Mrs. Pooja Jha) shall cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)