

13.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1559 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **208** of **2023** dated **03.04.2023** under Sections 451/376(1)/506 of the Indian Penal Code, 1860.
And

In Re : Habal Das

..... petitioner

Md. G. N. Imrohi

....for the petitioner

Mr. Angshuman Chakraborty

....for the State

De-facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure. The de-facto complainant is a married lady.

Petitioner is the brother-in-law of the de-facto complainant.

There are property disputes amongst the private parties, in which settlement is claimed to be reached.

Issue of false implication of the petitioner cannot be overlooked at this stage.

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 meet the Investigating Officer once a fortnight 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)