

**12.05.2023**

*Serial no. 01*

*[Dd]*

*(Anticipatory bail)*

**(Allowed)**

**CRM (A) 1924 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. **1113** of **2022** dated **22.12.2022** under Sections **448/376/323/325/354/379/506/34** of the Indian Penal Code.*

*-And-*

In the matter of : **Tahidul Sk @ Tohidul Sk**

... .. Petitioner

*Mr. Atis Kumar Biswas*

*Mr. Amit Singh,*

*Ms. Jyoti Agarwal, Advocate*

... .. For the Petitioner

*Mr. Shiladitya Banerjee, Advocate*

... ..For the State

Order dated May 10, 2023 is mentioned at the behest of the petitioner upon notice to the learned advocate for the State.

Learned advocate for the petitioner submits that, the application for anticipatory bail was allowed on May 10, 2023. However, inadvertently, the order records that the prayer for anticipatory bail stood rejected.

Learned advocate for the State agrees with the learned advocate for the petitioner that, the application for anticipatory bail stood allowed on May 10, 2023 and that there is an error apparent on the face of the record in respect of such order.

We perused the order dated May 10, 2023.

On May 10, 2023 we allowed the application for anticipatory bail by imposing, amongst others, a condition upon the petitioner to report before the Investigating Officer once in a month till completion of investigations.

In such circumstances, the last two paragraphs of the order dated May 10, 2023 is recalled. The same be substituted with the following.

"We, therefore, 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 shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

**CRM (A) 1924 of 2023 is disposed of."**

The department will incorporate the corrections in the order dated May10, 2023.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**