

18.05.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 2045 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Krishnaganj** Police Station Case No. **138** of **2021** dated **26.06.2021** under Sections **489B/489C** of the Indian Penal Code.

And

In the matter of : Toton Ghosh

..... petitioner

Mrs. Karabi Roy

....for the petitioner

Mr. Avishek Sinha

....for the State

Police filed charge-sheet.

No fake currency was recovered from the possession of the petitioner.

Apparently, the police are proceeding against the petitioner on the basis of the statement of co-accused who claimed that petitioner is the supplier.

At this stage, police apart from the statement of the co-accused made while in custody are unable to demonstrate any nexus between the petitioner and the arrested co-accused.

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 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.)