

19.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2095 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **419** of **2022** dated **02.06.2022** under Sections 399/402 of the Indian Penal Code.
And

In Re : Hara Molla @ Sk

..... petitioner

Mr. S. Majumder

....for the petitioner

Ms. Zareen N Khan

Mr. Asif Dewan

....for the State

Police filed charge-sheet.

The materials in the case diary does not suggest requirement of preventive arrest after filing of the charge-sheet.

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 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.)