

17.08.2023
Sl. No.09(S/L)
[ALLOWED]
as

C. R. M. (A) 3215 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Habibpur Police Station Case No. 177 of 2023 dated 25.05.2023 under Sections 461/379/34 of the Indian Penal Code.

In Re: **Anku Singha @ Bishwanath Singha & Ors.**

... .. Petitioners

Mr. Biswajit Tiwari.

... .. for the petitioners

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta.

... .. for the State

1. Petitioners submit there are prior enmity between the parties. Allegation of stealing of goats is false. They have been falsely implicated. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits stolen property has not been recovered.
3. We have considered the materials on record. Allegation relating to theft of goats requires to be assessed in the light of the submission of prior enmity between the parties.
4. Under such circumstances, we are of the opinion though custodial interrogation is not necessary, petitioners require to co-operate with the investigation in accordance with law.
5. Accordingly, we direct that in the event of arrest, the petitioners viz., **1) Anku Singha @ Bishwanath Singha, 2) Joytsna Singha @ Jotsna Singha and 3) Baidyanath Singha @ Samrat Singha** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure,

1973 and on further condition that the petitioners, while on bail, shall meet the Investigating Officer once in a week until further orders. They shall appear before the court below and pray for regular bail within four weeks from date.

8. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)