

CRM (A) 6003 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Rishra Police Station Case No. 20 of 2022 dated 01.02.2022 under Sections 498A/406/504/506/354B/376/ read with Section 511 of the Indian Penal Code.

-And-

In the matter of : **Abhishek Kumar Singh**

... .. Petitioner

Mr. Kallol Mondal, Advocate

Mr. Krishan Ray, Advocate

Mr. Rishav Kr. Singh, Advocate

... .. For the Petitioner

Ms. Sreeparna Das, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

The mother of the petitioner filed a police complaint against the de facto complainant eight months prior to the present police complaint.

The present police complaint was subsequently lodged in order to falsely implicate the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

There is an issue of false implication in the facts and circumstances of the present case. The materials in the case diary does not suggest requirement of custodial interrogation of the petitioner.

In such circumstances, we are inclined to 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 condition

that the petitioner will report before the Investigating Officer once in a fortnight 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) 6003 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)