

13.02.2024
Item No.12
Ct. No. 29
CHC
Allowed

C.R.M.(A) 417 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **835** of **2023** dated **25.11.2023** under Sections **364A/506/34** of the Indian Penal Code, 1860.

And

In the matter of : Farijuddin Momin @ Farid Sk

..... petitioner

Md. Wasim Akram

....for the petitioner

Mr. Shibaji Kumar Das

....for the State

Petitioner prays for anticipatory bail.

Petitioner claims false implication.

Learned advocate appearing for the petitioner submits that, the petitioner engaged the de facto complainant as a labour contractor, paid money for labour and that such labour was not supplied. Thereafter, police complaint was lodged. He refers to the banking statement in support of the contention that money was paid to the de facto complainant.

De facto complainant recorded a statement under Section 164 of the Criminal Procedure Code implicating the petitioner before us in demanding ransom. However, we do not find sufficient corroborative material in the Case Diary with regard thereto.

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/- (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 will report before the Investigating Officer once in a month till the conclusion of investigation 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.

CRM(A) 417 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)