

13.02.2024

Serial no. 23

Anticipatory bail

[Allowed]

Dd

CRM (A) 428 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhutni** Police Station Case No. **265** of **2023** dated **11.12.2023** under Sections **448/376/511/506** of the Indian Penal Code, 1860. (G.R. Case No. 8429/2023)*

-And-

*In the matter of : **Nandalal Mandal***

*... .. **Petitioner***

Mr. Arup Kr. Bhowmick, Advocate

... .. For the Petitioner

Mr. Suman De, Advocate

... ..For the State

Affidavit-of-service filed in Court be taken on record.

None appears for the victim despite service.

Apparently, there are pre-existing disputes between the private parties.

There is a delay of about a month in the lodgment of first information report.

The statement contained in Section 164 of the Criminal Procedure Code does not, in our view, require custodial interrogation of the petitioner.

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 shall report before the

Investigating Officer once in a month 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) 428 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)