

28.02.2024
04
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 677 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **21 of 2024** dated **08.01.2024** under Sections **376/498A/506/511/34** of the Indian Penal Code.

And

In Re : **Sukchand Molla @ Mollah**

..... petitioner

Ms. Minoti Gomes

Mr. Amanul Islam

Mr. Sourav Mukherjee

...for the petitioner

Mr. Aniket Mitra

...for the State

Affidavit of service filed in Court be taken on record.

None appears for the defacto-complainant.

Leave granted to the learned advocate on record of the petitioner to correct the cause title.

Petitioner before us is the brother-in-law of the defacto-complainant.

Apparently, the petitioner is living separately.

Apparently, the defacto-complainant and her husband assaulted the mother of the petitioner whereupon a police complaint was lodged, prior in point of time.

Apparently, there are disputes between the private parties.

Issue of false implication cannot be overlooked at this stage.

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. The petitioner will report before the Investigating Officer once a month till the conclusion of the investigation. 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.)