

06.03.2024

DL-16

Court No.29

(AD)

(Allowed)

C.R.M. (A) 784 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No.**1013 of 2023** dated **22.12.2023** under Sections **448/325/307/376/511/506/34** of the Indian Penal Code, 1860.(G.R. Case No.5062 of 2023).

And

In the matter of: **Prahalad Mondal @ Prohlad Mondal**

....petitioner.

Ms. Minoti Gomes

Ms. Dona Sanyal

...for the petitioner.

Mr. Prasun Kumar Dutta, Ld. APP

Ms. Sonali Bhar

... for the State.

Affidavit of service filed in Court be taken on record.

None appears for the de facto complainant.

Apparently, there are disputes between the private parties with regard to the land.

There are Section 144 complaint of the Code of Criminal Procedure as well as a criminal complaint.

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.

Statement of the victim under Section 164 of the Code of Criminal Procedure at this stage remains uncorroborated from the materials in the case diary.

Apparently, there was an incident of assault.

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 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 a fortnight till the conclusion of the 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 784 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)