19.03.2024
39
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 806 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **61** of **2024** dated **03.02.2024** under Sections **448/323/354B/376/511/307/379/34** of the Indian Penal Code.

And

In Re : **Mehebub Molla**

..... petitioner

Mr. Asraf Mandal

...for the petitioner

Ms. Subhasree Patel

...for the State

Affidavit of service filed in Court be taken on record.

None appears on behalf of the defacto-complainant.

Apparently, there are long-standing property disputes between the private parties.

Defacto-complainant refused to undergo medical examination.

Issue of false implication remains.

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 fortnight 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.)