

13.03.2024
Item No.8
Ct. No. 29
CHC
Allowed

C.R.M.(A) 882 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **19** of **2020** dated **17.01.2020** under Sections **399/402** of the Indian Penal Code, 1860 read with Sections **25/27/35** of the Arms Act, 1959.

And

In the matter of : Tushar Dey @ Tapu Dey

..... petitioner

Mr. Shibaji Kumar Das

....for the petitioner

Mr. Sanjoy Bardhan,

Mr. Sk. Arif Hossain

....for the State

Petitioner prays for anticipatory bail.

Although the police case is dated January 17, 2020. Charge-sheet thereof was submitted only in December, 2023. Petitioner claims to become aware of the police case subsequent to the filing of the charge-sheet.

The charge-sheet *inter alia* involves Sections 399/402 of the Indian Penal Code, 1860, and Sections 25/27/35 of the Arms Act, 1959.

Issue of involvement of the petitioner in the offences alleged may be decided at the trial.

Since the police concluded the investigation, and considering the materials in the Case Diary as against the petitioner, 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 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) 882 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)