

19.03.2024

Serial no. 03

Anticipatory bail

[Allowed]

Dd

CRM (A) 921 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **571** of **2021** dated **29.10.2021** under Sections **447/323/325/354/307/34** of the Indian Penal Code, 1860 pending before Learned ACJM, Tehatta, Nadia.*

-And-

*In the matter of : **Alip Shaikh @ Alif Sk. @ Alif Shaikh**
... .. **Petitioner***

*Ms. Jyoti Agarwal, Advocate
... .. For the Petitioner*

*Mr. Tanmay Kr. Ghosh,
Ms. Mousumi Sarkar, Advocates
... ..For the State*

In an incident of assault, the injured received simple injury.

Out attention was drawn to the fact that police case is dated October 29, 2021 and that there is an issue of long absconsion.

Petitioner seeks to explain absence from participating in the police case, on the ground that the petitioner left for United Arab Emirates on November 2, 2021 and returned to India on February 8, 2024.

Petitioner relies upon photocopies of passport in support of his absence.

Prima facie, the explanation appears to be acceptable.

Police filed charge sheet.

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 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) 921 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)