

22.03.2024

Serial no. 08

Anticipatory Bail

[Allowed]

Dd

CRM (A) 1016 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **15** of **2024** dated **28.01.2024** under Sections **379/506/34** of the Indian Penal Code, 1860 pending before ACJM< Malda*

-And-

In the matter of : **Sribas Biswas alias Shribas Biswas & Ors.**

... .. Petitioners

Sk. Zubair Ahmed, Advocate

... .. For the Petitioners

Mr. Suman De, Advocate

... ..For the State

Apparently, one of the petitioners is part of owner of a pond from which, theft of fish is alleged. De facto complainant, apparently, is not the owner of both the ponds.

Be that as it may, materials in the case diary do not suggest requirement of custodial interrogation of the petitioners.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners shall report before the

Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1016 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)