

04.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1080 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Burdwan Police Station Case No. 1451 of 2023 dated 02.11.2023 under Sections 399/402 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Burdwan.

And

In Re : Abudulafa Laskar petitioner

Md. Sarwar Jahan
Mr. Maidul Islam Kayal

.....for the petitioner

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Karan Bapuli

....for the State

1. Petitioner submits he is the owner of a Nursing Home.
He has been falsely implicated in the instant case. He prays for anticipatory bail
2. Learned Lawyer for the State submits petitioner was involved in preparation of dacoity.
3. We have considered the materials on record. Petitioner is a bona fide businessman. He owns a Nursing Home. Prosecution alleges his complicity arose from the statement of co-accused before police officer which is inadmissible in evidence.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. 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 and on condition he shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)