

05.04.2024

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S.D./A.D.
Allowed

C.R.M. (A) No. 1104 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 1394 of 2022 dated 04.12.2022 under Sections 379/411/413/414 of the Indian Penal Code pending before the learned Chief Judicial Magistrate, Malda.

And

In Re : Akash Sk. @ Akash Ali petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder
.....for the petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.,
Ms. Annyasha Chakraborty
....for the State

1. Heard learned Lawyers for the parties.
2. We have considered the materials on record. Stolen properties have been recovered. Complicity of the petitioner has transpired from the statement of the co-accused before police officer which is inadmissible in evidence. Investigation is complete.
3. Accordingly, we are inclined to grant anticipatory bail to the petitioner.
4. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)