

22.4.2024
SL No. 416
Ct No. 29
Srimanta /SB

C.R.M. (A) 1124 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Keshiary** P.S. Case No. 40 of 2024 dated 12.3.2024 under Sections 323/417/376/354A/506/34 of the Indian Penal Code.

And

In the matter of: Pijush Kanti Barik @ Pijuskanti Barik

....Petitioner

Mr. Suman Das Adhikari

...for the Petitioner

Mr. Sudip Kumar
Mr. Ahok Das

...for the State

Mr. Amitabha Ghosh
Ms. Susmita Hazra
Ms. Arpita Dhar

... for the de facto complainant

1. Despite opportunities being granted, the de facto complainant is yet to record a statement under Section 164 of Cr.P.C.
2. Petitioner, State and the de facto complainant are represented.
3. Considering such conduct of the de facto complainant and the materials in the case diary, we grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest the petitioners 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. The petitioner shall appear before the Investigating Officer once in a week till the conclusion of the investigation. 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.

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

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)