

19.04.2024
Item No.26
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1298 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No. **56** of **2024** dated **21.01.2024** under Sections **448/354B/354D/509/506/34** of the Indian Penal Code, 1860, pending before the Learned Chief Judicial Magistrate at Malda.

And

In the matter of : Shish Mahammad

..... petitioner

Md. Wasim Akram

....for the petitioner

Mr. Kunal Ganguly

....for the State

Petitioner prays for anticipatory bail.

There is a delay in the lodgment of the present police complaint.

There are previous police complaint as against the brother of the de facto complainant.

Possibility of false implication exists.

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 will report before the Investigating Officer once in a fortnight till the conclusion of investigation and on 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1298 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)