

22.05.2024

67

Ct. No. 03

S.D.

Allowed

C.R.M.(A) 1587 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Diamond Harbour** Police Station Case No. **156** of **2024** dated **08.04.2024** under Sections **143/147/153A/295A/435/436/307/34** of the Indian Penal Code, 1860, and under Section **9** of Maintenance of Public Order Act, 1972 pending before the Court of learned Additional Chief Judicial Magistrate, Diamond Harbour.

And

In the matter of: **Buddhadeb Bag @ Bubhadeb Bag**
.....petitioner

Mr. Guranga Das

Mr. Debasis Sen

Mr. Goutam Sardar

Mr. Goutam Malik

Mr. Rajendra Banerjee

Mr. Sankar Prasad Dalapati

...for the petitioner

Mr. Saryati Dutta

Ms. Suparna Chatterjee

..for the State

Report as called for by the order dated May 7, 2024 filed in Court be taken on record. Report confirms that the petitioner is a resident of a different village.

It is the contention of the petitioner that the petitioner was falsely implicated since the petitioner was a witness in another police case of the Central Bureau of Investigation.

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/-, 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 will report before the Investigating Officer once a fortnight 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)