

12.06.2024
SL No.366
Court No.29
TN
(Allowed)

CRM (A) 1887 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Malda Police Station Case No.121 of 2024 dated 04.03.2024 under Sections 406/417/420/467/468/471/120B of the Indian Penal Code.

And

In the matter of : **Mrityunjoy Bhakta and another.**

- petitioners.

Mr. Avishek Prasad

....for the petitioners.

Ms. Anasuya Sinha, Ld. APP,
Mr. Shiladitya Banerjee

... for the State.

1. The learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated.
2. The learned Counsel for the State in opposing the prayer has submitted that the petitioner no. 1 has forged the signature of the *de facto* complainant.
3. Considering the materials available in the case diary and the nature of the alleged offence and the involvement of the petitioners in the commission of the said offence, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Mrityunjoy Bhakta and Bishwambar @ Bishwambar Tikadar @ Thikadar** shall be released on bail upon furnishing a bond of Rs.20,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioners shall meet the Investigating Officer of this case once in a week or as and when required till submission of the final report and also with a further condition that the present accused petitioners shall appear before the learned jurisdictional court within two weeks from date.

5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)