

10.01.2024
Item No.206
Ct. No. 29
AB
Allowed

C.R.M.(A) 4857 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murarai** Police Station Case No.**226** of **2023** dated **11.09.2023** under Sections **399/402** of the Indian Penal Code, 1860

And

In the matter of : **Badsha Sk.**

.....Petitioner.

Mr. Bitoshok Banerjee,
Mr. Abdus Salam for the Petitioner.

Mr. Ashok Das for the State.

Petition is taken up for consideration subsequent to the order dated October 18, 2023.

By such order, coordinate Bench granted interim anticipatory bail to the petitioner.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We perused the materials in the case diary.

Material in the case diary does not suggest requirement of custodial interrogation of the petitioner.

In such circumstances, we confirm the interim order dated October 18, 2023.

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 month 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) 4857 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)