

10.01.2024

217
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4872 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Basudebpur** Police Station Case No. **119** of **2023** dated **11.07.2023** under Sections 448/427/436/34 of the Indian penal Code in which the charge sheet submitted under Sections 448/427/436/34/120B of the Indian Penal Code.

And

In Re : Bikash Das @ Ganesh Das @ TB Ganesh

..... petitioner

Mr. Arindam Jan

Mr. Subhajit Chowdhury

....for the petitioner

Mr. Sujan Chatterjee

...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 passed by the Coordinate Bench.

By such order dated October 18, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

Police filed charge sheet.

Petitioner apparently is sought to be implicated on the basis of a statement of a co-accused.

The involvement of the petitioner, if any, in the incident can be decided at the trial.

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/-, 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 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.)