

22.01.2024
Item No.52
Ct. No. 29
CHC
Allowed

C.R.M.(A) 4968 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **358** of **2023** dated **19.06.2023** under Sections **341/325/354/420/34** of the Indian Penal Code, 1860 and adding Section **376** of the Indian Penal Code, 1860.

And

In the matter of : Mannan Sekh @ Mannan Chaikara & ors.
..... petitioners

Mr. Sabir Ahmed,
Mr. Tasnim Ahmed,
Mr. Dhiman Banerjee
....for the petitioners

Mr. Sandip Chakraborty
....for the State

Petitioners pray for anticipatory bail.

Apparently, there are pre-existing disputes with regard to immovable property between the private parties.

There are three previous police complaints lodged by the petitioners before us against the de facto complainant and her family members.

De facto complainant recorded her statement under Section 164 of the Criminal Procedure Code. However, he refused to undergo any medical examination.

Issue of false and the police complaint being a counter blast to the earlier police complaints as also the property disputes remains.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners will report before the Investigating Officer till the conclusion of investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 4968 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)