

24.01.2024

363
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 5063 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manicktala** Police Station Case No. **239** of **2023** dated **06.09.2023** under Sections 386/341/448/506 of the Indian penal Code read with Section 25(1B)(a) of the Arms Act.

And

In Re: Bhagirathi Mallah & Anr.

..... petitioners

Ms. Saini Das

....for the petitioners

Mr. Partha Pratim Das

Mr. Goutam Wilson

...for the State

Apparently, the police complaint revolves around possession of an immovable property.

Apparently, there is written document between the parties.

Dispute appears to be civil in nature.

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/- 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. The petitioners shall report before the Investigating Officer once a month till the conclusion of the

investigation. 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.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)