

Court No. 29

31.01.2024

(AD 38)

Allowed

(S. Banerjee)

CRM(A) 5170 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **987 of 2022** dated **30.10.2022** under Sections 363/366/506/34 of the Indian Penal Code, 1860.

And

In the matter of: **Mohan Bera @ Sanjoy Bera & Anr.**

Mr. Suman De
Mr. Abhinaba Mukherjee

... for the petitioners

Mr. Aniket Mitra

... for the State

The statement of the victim recorded under Section 164 of Code of Criminal Procedure is largely one of exoneration of the principal accused. The petitioners before us are not named in such statement.

Police filed charge-sheet.

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 subject to the conditions as laid down under Sections 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioners is allowed.

CRM(A) 5170 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)