

Court No. 29

31.01.2024

(AD 46)

Allowed

(S. Banerjee)

CRM(A) 5195 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **135 of 2023** dated **05.03.2023** under Sections 448/376/511 of the Indian Penal Code, 1860.

And

In the matter of: **Ashis Mandal @ Nabo**

Mr. Arup Kumar Bhowmick

... for the petitioner

Mr. Sandip Chakravborty

... for the State

There is a delay of three months in the lodging of the First Information Report.

Apparently, there are subsisting disputes between the parties. Statement of the victim recorded under Section 164 Cr.P.C. remains largely uncorroborated.

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

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 subject to the conditions as laid down under Sections 438(2) of the Code of Criminal Procedure, 1973 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 petitioners in court including cancelling the anticipatory bail granted without further reference to this court.

The prayer for anticipatory bail of the petitioner is allowed.

CRM(A) 5195 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)