

01.02.2024
Item No.705
Ct. No. 29
PG/KS
Allowed

C.R.M.(A) 5428 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No.**605** of **2023** dated **12.05.2023** under Sections **448/325/354/379/506/34** of the Indian Penal Code, 1860.

And

In the matter of : **Md. Amirul Sk. @ Amir Sk.**
.....Petitioner.

Mr. Arnab Chatterjee
Mr. Anisur Rahaman

....for the Petitioner.

Mr. Pinak Kr. Mitra

....for the State.

There is a previous police complaint in respect of the same incident against the husband of the de facto complainant. Police filed charge-sheet.

The present police complaint relates to the incident covered in the earlier police complaint.

Issue of false implication remains.

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 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 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.

C.R.M.(A) 5428 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)