

01.02.2024

Item No.48

Ct. No. 29

PG/KS

Allowed

C.R.M.(A) 5272 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Watgunge** Police Station Case No.181 dated **30.08.2023** under Sections **341/ 323/ 506/ 385/ 114/ 379** of the Indian Penal Code, 1860.

And

In the matter of: **Md. Rafique**

.....Petitioner.

Mr. Bidyut Kumar Halder

Mr. Indranil Halder

....for the Petitioner.

Mr. Madhusudan Sur, Ld. A.P.P.

Ms. Mamata Jana

....for the State.

Apparently, the relationship between the de facto complainant and the petitioner is one of landlord and tenant.

There is an every possibility of the police complaint emanating out of such disputes.

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 will report before the Investigating Officer once in a month till the conclusion of investigation 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 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) 5272 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)