

01.02.2024
ML.662
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5385 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khardah** Police Station Case No.**381 of 2023** dated **14.06.2023** under Sections **447/195A/354B/376B/335/34** of the Indian Penal Code (G.R. Case No.5106 of 2023).

And

In the matter of: **Sudipta Ghosh & Anr.**

....petitioners.

Mr. Saswata Gopal Mukherji
Ms. Debadrita Mandal
Ms. Sudeshna Chanda

...for the petitioners.

Ms. Z. N. Khan
Ms. Baisali Basu

... for the State.

There are number of criminal complaints between the private parties.

We perused the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which, of course, does not make out a compelling case for custodial interrogation of the petitioners given the previous history between the private parties.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a month

till the conclusion of the investigation 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5385 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)