02.02.2024
Item No.49
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5413 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Howrah** Police Station Case No.**212** of **2023** dated **19.06.2023** under Sections **399/402** of the Indian Penal Code.

And

In the matter of : Nitin Mahato @ Nitin Kumar Mahato
..... petitioner

Mr. Soumya Basu Roy Chowdhuri
....for the petitioner

Mr. Partha Pratim Das,
Ms. Kumkum Mitra
....for the State

Petitioner prays for anticipatory bail.

Police filed charge-sheet under Sections 399/402 of the Indian Penal Code, 1860.

Materials in the Case Diary do not suggest requirement of custody of the petitioner at this stage.

Consequently, 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 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.

CRM(A) 5413 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)