

14.08.2024  
Court No.1  
SL No. 19  
pk/AP

**HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI**

**CRM(A) 531 of 2024**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dinhata** P.S. Case No.**272 of 2024** dated **07.05.2024** under Sections **420/406/506(ii)/384/323/34** of the Indian Penal Code.

And

In the matter of: **Belal Hossain Mollik**

....Petitioner.

Mr. Hillol Saha Poddar,  
Ms. Mousumi Das

...for the petitioner.

Mr. Aditi Shankar Chakraborty  
Mr. Tapan Bhattacharjee

...for the State.

1. Leave is granted to the petitioner to correct the cause title.
2. Anticipatory bail is sought on the ground that the story in the complaint is improbable and unlikely. Admittedly the complainant, who is a labourer is that the petitioner was given a sum of Rs. 4 lakhs 4 years earlier by the complainant for getting him a job.
3. Upon the complainant visiting the petitioner confronting the petitioner after 4 years for return of money, the petitioner and his family members are stated to have attacked the complainant with weapons and hands.
4. Prima facie, it appears to this Court that the complainant being a labourer is unlikely to have 4 lakhs of money. Even otherwise the delay of 4 years in filing the complaint after the incident is questionable. It is equally surprising to note that

Section 406/506(ii)/384/323 have been added along with Section 420 in the FIR.

5. In the above circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, 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 corresponding to Section 482(2) of the BNSS, 2023, and on further conditions that the petitioner shall visit the I.O. as and when summoned and shall not leave the jurisdiction of Dinhata police station and shall cooperate with the investigation and on further condition that the petitioner shall appear before the court below and pray for regular bail within a fortnight from date.

7. In the event the petitioner fails to comply with the aforesaid conditions as enshrined hereinabove, the bail of the petitioner shall automatically stand cancelled without any further reference to this Court.

8. The application for anticipatory bail is, thus, disposed of.

**(Rajasekhar Mantha, J.)**

**(Ajay Kumar Gupta, J.)**