

30.06.2022
Serial no. 45
[Dd]
(Anticipatory bail)
Allowed)

CRM 7804 of 2019
With
CRAN 1 of 2021
With
CRAN 2 of 2021

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Shaktipur** Police Station Case No. **22** of **2019** dated **08.03.2019** under Sections **326/307** of the Indian Penal Code and **25/27** of the Arms Act, corresponding to G.R. Case No. **2924 of 2019**

-And-

In the matter of : **Golam Nabi Azad @ Rabin**

... .. Petitioner

Mr. Habiur Rahaman, Advocate

... .. For the Petitioner

Mr. N. Ahmed, Id. APP

Mr. N. P. Agarwala, Advocates

... ..For the State

In Re : **CRAN 2 of 2021**

For the ends of justice causes shown in the application explaining delay in making the application for restoration are accepted as sufficient.

CRAN 2 of 2021 is allowed.

In Re : **CRAN 1 of 2021**

This is an application for restoration. Again for the ends of justice, the causes shown are accepted as sufficient. The order of dismissal for default is recalled.

CRAN 1 of 2021 is disposed of accordingly.

CRM 7804 of 2019 is restored to its file and number.

By consent of the parties, CRM 7804 of 2019 is taken up treating the same as on day's list.

It appears from the case diary that there was an incident of injury suffered from a bullet. The injured person recorded a statement under Section 161 of the Criminal Procedure Code claiming that he suffered the bullet injury accidentally when the service revolver belonging to the petitioner was being cleaned.

In view of the materials in the case diary and the statements of the victim recorded under Section 161 of the Criminal Procedure Code, we are inclined to 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 report before the Investigating Officer at such time and place as may be specified by the Investigating Officer till the conclusion of the investigation 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.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM 7804 of 2019 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)