

29.8.2019
22.
as
(Allowed).

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

C.R.M. 703 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 13.08.2019 in connection with Phansidewa P. S. Case No.130 of 2017 dated 30.04.2017 under Sections 448/324/325/326/307/436/427/120B of the Indian Penal Code.

In the matter of : Md.Rahaman & Anr.
... Petitioners.

Mr. Sudip Guha.
...for the Petitioners.

Mr. Aditi Shankar Chakraborty, ld. A.P.P.,
Mr. Sagnik Shankar Sikdar.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that the co-accused persons have been granted anticipatory bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations and as the co-accused persons who are similarly circumstanced with the petitioners have been granted anticipatory bail, we are inclined to extend the same privilege to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners viz., Md. Rahaman and Rabi Md. shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each subject 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 further condition that the petitioners shall appear before the trial court and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)