

30.8.2019
19.
as
(Allowed).

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

C.R.M. 815 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 27.08.2019 in connection with Rajganj P. S. Case No.106 of 2019 dated 12.04.2019 under Sections 147/148/149/323/325/326/332/333/353/186/307/427/506 of the Indian Penal Code read with Section 307 PDPP Act and Section 9 of the MPO Act and Section 813 of National Highway Act, 1956.

In the matter of : Samir Roy.

... Petitioner.

Mr. Tapabrata Ghosh.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Arun Kr. Sarkar.

.....for the State.

Heard the learned Advocates appearing for the parties.

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

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner was the leader of the mob who indiscriminately threw brick bats resulting in injury on the civil volunteers.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the

alleged crime and as co-accused persons have been granted pre arrest bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, we direct that in the event of arrest the petitioner viz., Samir Roy shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that the petitioner 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.)