

03.09.2020  
SL No.89  
AP

**CRM 6180 of 2020**  
**With**  
**IA No.: CRAN 1/2020 (Old No: CRAN 4689 of 2020)**  
**(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joynagar** P.S. Case No.**745/11** dated **07.11.2011** under Sections **302/34** of the Indian Penal Code.

And

In the matter of: **Hashem Molla**

....Petitioner.

Mr. Sumanta Chakraborty,  
Mr. Sukanta Chakraborty

...for the Petitioner.

Mr. Swapan Banerjee,  
Ms. Purnima Ghosh

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being IA No.: CRAN 1/2020 (Old No: CRAN 4689 of 2020) is disposed of.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case due to mere suspicion.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the statements of witnesses who merely saw the petitioner and co-accused persons moving suspiciously in and around the place of occurrence and the fact that there is no material to show that they were seen with the victim immediately before the occurrence and as the investigation is over, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner namely Hashem Molla 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**