

18.09.2020.
49.
as
(Allowed).

C.R.M. 6774 of 2020
With
C.R.A.N.1 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhagwanpur P.S. Case No.109 of 2020 dated 01.05.2020 under Sections 4 / 5 of Explosive Substances Act.

In the matter of : Sk. Ashraf Ali & Anr.

... Petitioners.

Mr. Amitabha Karmakar.

...for the Petitioners.

Mr. Goutam Wilson.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioners undertake to affirm and stamp the petition/application as per Rules within a 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 CRAN 1 of 2020, is disposed of.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that explosive substances have already been recovered and there is nothing to show that the petitioners were in control

and custody of the seized explosive, we are of the opinion that they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners, viz., Sk. Ashraf Ali and Sk. Rajiul Rahaman @ Sk. Rajib Ali shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, 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.

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

All concerned 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.)