

28.09.2020  
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CRM No. 7124 of 2020  
IA No. CRAN/1/2020

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hariharpara Police Station Case No.457/2019 dated 05.09.2019 under Sections 147/148/149/332/333/353/325/326/307/427 of the Indian Penal Code, 1860, and Sections 3/4 of the Prevention of Damage to Public Property Act, 1984.

And

In the matter of : Sariful Islam @ Mondal @ Sariful Islam  
Mandal & Anr.

... Petitioners

Mr. Somnath Adhikary

.. for the Petitioners

Mr. Arijit Ganguly,  
Mr. Sanjib Kumar Dan

..for the State

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

Accordingly, IA No. CRAN/1/2020 is disposed of.

It is undisputed that the petitioners are on the same footing as Biswanath Majhi, another co-accused, who has been granted bail by a co-ordinate Bench of this Court in C.R.M. 5895 of 2020 on 24<sup>th</sup> August, 2020. The order dated 24<sup>th</sup> August, 2020 also records that the

similarly placed persons have been granted anticipatory bail by this Court.

Considering the nature of the incident and the fact that the charge sheet has already been submitted, there may not be any need to take the petitioners into custody as long as the petitioners attend every date fixed for trial.

Subject to the above, in the event of arrest, the petitioners shall be released on bail upon furnishing bond Rs.10,000/- each together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. In addition, the petitioners shall abide by the conditions in Section 438(2) of the Cr.P.C.

The application for anticipatory bail being C.R.M. 7124 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

**(Jay Sengupta, J.)**

**(Soumen Sen, J. )**