

20.11.2020
Sl. No.60
akd
[ALLOWED]

C. R. M. 9116 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 05.11.2020 in connection with Rajganj Police Station Case No. 175 of 2018 dated 02.07.2018 under Sections 143/186/382/333/353/427/506 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act.

And

In Re: **Saidar Alam @ Munnaj Ali**

... .. Petitioner

Mr. Anirban Banerjee .. Advocate

Ms. Madhushri Dutta .. Advocate

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Ld. Addl. Public Prosecutor

Mr. Arun Sarkar .. Advocate

... .. for the State

Petitioner undertakes 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 conferencing.

Petitioner renews his prayer for anticipatory bail.

It is submitted on behalf of the petitioner that his earlier prayer was withdrawn on the erroneous premise that his name does not appear either in the FIR or charge-sheet. However, warrant of arrest was issued against the petitioner in connection with this case.

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

We have considered the materials on record including the memo of evidence. Keeping in mind the nature of allegations and the extent of complicity of the petitioner in the alleged crime and as co-accused persons are on bail, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Saidar Alam @ Munnaj Ali**, 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 be 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.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)