

14.01.2021
Item No.153
Ct.No.28
s.d.
Allowed

C.R.M. 170 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In the matter of : Md. Safik Khan @ Safik Khan @ Md. Shafi Khan
... Petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee

... For the Petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... For the State.

Apprehending arrest in connection Arambagh Police Station Case No. 238 of 2018 dated 04-05-2018 under Sections 147/148/149/448/326/307/379/506 of the Indian Penal Code, 1860 read with Section 25/27 of the Arms Act and 3/4 of the Explosive Substances Act (G. R. Case No. 485 of 2018), the present petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner is similarly placed with the accused persons who have been granted anticipatory bail in CRM 6266 of 2018 passed on August 24, 2018 by a co-ordinate Bench of this Court.

The learned advocate appearing for the State opposes the prayer for the anticipatory bail and draws the attention of this Court to the injury report.

We have perused the injuries and also considered the order passed on August 24, 2018 by a co-ordinate Bench of this Court in CRM 6266 of 2018.

On an appreciation of the statement of the witnesses, we are of the opinion that the petitioner is similarly placed with other accused persons, who have been granted anticipatory bail by a co-ordinate Bench of this Court.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 170 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)