

03.02.2021  
Court No.28  
Item No. 324  
Krishnendu  
ALLOWED

**C.R.M. 306 of 2021**  
**(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Bappa Hazari & Ors.**

.....Petitioners

Mr. Mrityunjoy Chatterjee

Mr. Sk.Toslim Ali

....For the Petitioners

Mr. Soumik Ganguly

.....For the State

Apprehending arrest in connection with Amta Police Station Case No. 01 of 2019 dated 01.01.2019 under sections 147/148/149/325/326/307 of the Indian Penal Code and sections 25 and 27 of the Arms Act, the petitioners have filed the present application.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated and no overt act has been attributed to the petitioners. Several accused persons have already been granted anticipatory bail. Upon completion of investigation, charge sheet has also been filed. In the said conspectus, custodial detention of the petitioners is not necessary.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial detention of the petitioners is not warranted. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Bappa Hazari, Sk. Iliyus @ Sk. Sahar, Laltu Bag, Sk. Farid and Sk. Mohorom Ali**, shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 No. 306 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)