

12.03.2021  
Item no.22  
Court No.28  
Avijit Mitra

C.R.M. 603 of 2021 (through video conference)

In Re:- An application for anticipatory bail under  
Section 438 of the Code of Criminal Procedure, 1973;  
And

**In Re : Kota Sk. @ Sohikul Islam & ors.**

.... Petitioners

Ms. Sreyashee Biswas,  
Ms. Benejir Hasna

...for the petitioners

Mr. Swapan Banerjee,  
Ms. Purnima Ghosh

...for the State

Apprehending arrest the present application has been filed in connection with Suti Police Station Case No. 185 of 2020 dated May 13, 2020 under sections 325/326/307/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act and Sections 25/27 Arms Act.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There was a land dispute amongst the parties and a complaint was lodged on 13<sup>th</sup> May, 2020. Thirty-three persons were named in the FIR and out of them five persons arrested on 13<sup>th</sup> May, 2020 and were released on bail thereafter on 23<sup>rd</sup> May, 2020. In view thereof, custodial interrogation of the petitioners is not warranted.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence and since co-accused persons similarly situated with the petitioners have already been granted anticipatory bail by an order dated 19<sup>th</sup> January, 2021 passed in CRM No.207 of 2021, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Kota Sk. @ Sohidul Islam, Rejabul Sk. @ Ganga @ Rejaul, Barik Sk. @ Abdul Barik Sk., Kalu Sk. @ Hanjala Sekh, Rejaul Sk. @ Rejabul Hoque and Rentu Sk.**, 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.

Accordingly, the application being C.R.M. No.603 of 2021 is disposed of.

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**