

12.04.2021
Court No.28
rpan / 305

CRM 822 of 2021
(Via video Conference)

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

And

In Re : **Sk. Saiful Islam @ Sk. Saiful**
- Petitioner

Mr. Suman De

... For the Petitioner.

Ms. Z. N. Khan,
Md. Kutubuddin

... For the State

Apprehending arrest in connection with Panskura P. S. Case No. 228 of 2019 dated 13.05.2019 under Sections 447/323/324/325/307/354B/379/506/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate for the petitioner submits that the dispute has been falsely implicated in the present case and the investigation has already been concluded by way of submission of charge-sheet.

Learned advocate appearing for the State submits that the petitioner has been absconding for a considerable period of time.

We have perused the case diary produced by the learned advocate for the State and considered the medical/injury report. Having regard to the same, we are of the opinion that custodial detention of the petitioner is unwarranted. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sk. Saiful Islam @ Sk. Saiful**, shall be

released on bail upon furnishing a bond of ₹10,000/- 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.

This order of anticipatory bail will remain in force for a period of four weeks from date within which the petitioner shall appear / surrender before the learned Jurisdictional Magistrate and pray for regular bail.

The learned Jurisdictional Magistrate will impose conditions so that the petitioner would appear during the progress of the trial.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 822 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)