

04.08.2021
Item no.6.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 984 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 22.01.2021 in connection with Baishnabnagar Police Station Case No.38 of 2018 Dated 21.01.2018 under Sections 308/34/304 of the Indian Penal Code

And

In the matter of : Ejabul Mia @ Ejabul Sekh

.....Petitioner.

Md. Sarwar Jahan,
Mr. Abdul Aziz Mondalfor the Petitioner.

Mr. Tanmoy Kumar Ghosh,
Mr. Pratik Bosefor the State.

Leave is granted to correct the cause title.

The petitioner says that two groups were fighting. He was in one of the groups. Bombs were hurled by one group towards the other. The victim was passing by. The victim got injured by the bomb and later succumbed to the injury. Eight out of fifteen persons have been granted bail, four have been granted anticipatory bail and three are absconding. The petitioner undertakes to fully cooperate with the Investigating Officer in case of further investigation. Charge sheet has been filed.

We have heard learned Counsel for the State and considered the material in the case diary.

No specific allegation is there against the petitioner. Having considered the nature of the charge and the facts and circumstances of the case, we are of the view that the petitioner may be granted anticipatory bail so long as he cooperates with the Investigating Officer in the event of further investigation.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.984 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)