

21.05.2021
tkm/ct 28
sl no. 9

C.R.M. 1170 of 2021
(via video conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kaliachak P.S case no.28 of 2020 dated 8.1.2020 under sections 147/148/149/186/332/333/353/307/379/427/436 of the Indian Penal Code and sections 3 and 4 of the Prevention of Damage to Public Property Act and under sections 3 and 4 of the Explosive Substance Act and under section 8(b) of the National Highways Act and section 9 of the MPO Act

And

Allowed

In Re : Md. Mursalim Hoque @ Moreselim Sk. petitioner

Mr. Sagar Saha

..... for the petitioner

Mr. S Bapuli

Mr. Amanul Islam

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case due to political differences. It is further submitted that co-accused persons have been granted bail by the learned trial judge and some of the accused persons have been granted regular bail by a co-ordinate Bench of this court in CRM 2718 of 2020 dated 16.3.2020.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered materials on record and bearing in mind the nature of allegations and the extent of complicity of the petitioner in the alleged crime and as the co-accused persons similarly circumstanced with the petitioner have been granted pre-arrest bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, we direct that in the event of arrest, the petitioner namely Md. Mursalim Hoque @ Morselim Sk. shall be released on bail upon furnishing a bond of Rs. 10,000/- with two

sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner while on bail shall meet the investing officer once in a week until further orders.

The application being CRM 1170 of 2021 is disposed of.

(Suvra Ghosh, J.)

(Soumen Sen, J.)