

06.09.2021
Item no.22
Aloke
Ct. No.29

Through Video Conference

C.R.M. 1243 of 2021

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.01.2021 in connection with Beldanga P.S. Case No.186 of 2018 dated 14.05.2018 under Sections 147/148/149/302 of the Indian Penal Code and Sections 25/27 of Arms Act.

And

**In the matter of : Asanur Sekh @ Ashanur Sk. & Ors.
... Petitioners**

Mr. Arnab Chatterjee, Advocate
Mr. Anisur Rahaman, Advocate
... for the petitioners
Mr. Swapan Banerjee, Advocate
Ms. Purnima Ghosh, Advocate
... for the State

Learned Advocate appearing for the petitioners seek leave to correct the cause title in respect of the typographical errors.

Leave as prayed for is granted. Learned Advocate-on-record for the petitioner will incorporate the corrections in the cause title.

Learned Advocate appearing for the petitioners submits that out of the three accused, first petitioner was arrested and, therefore, the prayer for anticipatory bail in respect of the first petitioner is not pressed. So far as other two accused persons are concerned, he submits that they stand in the same footing as that of another co-accused who granted anticipatory bail vide order dated October 19, 2020 in CRM 7689 of 2020.

Learned Advocate appearing for the State opposes the prayer for grant of anticipatory bail.

Having considered the case diary and having considered the fact that the statement recorded under Section 161 of the Code of Criminal Procedure names the two petitioners as well as other

persons who were granted anticipatory bail on October 19, 2020, we are inclined to grant anticipatory bail to the petitioner nos. 2 and 3 on parity.

Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 3 shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) each, with two sureties of like amount each, 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 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date. The petitioners shall also appear before the trial court on every date fixed for hearing.

The application for anticipatory bail, is, thus allowed.

C.R.M. 1243 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)