

21.5.2021

CRM 1361 of 2021

Court No.28
Item No. 24.

s.bhar

(Through Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 666 of 2014 dated 10.9.2014 arising out of G.R. no. 3435 of 2014 under Sections 147/148/149/379/427/326/307 of the Indian Penal Code read with Sections 25/27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

And

In the matter of : **Bhadu Sk @ Bhadu Motka @ Bhadu Sekh & ors.**
...Petitioners

Mr. Priyankar Ganguly

...For the Petitioner.

Mr. P.K. Dutta
Mr. Prodipta Ganguly

...For the State.

Considering the materials made available on record and the statement of witnesses recorded under Section 161 of the Criminal Procedure Code directly implicating the petitioner nos. 1 and 2 in the alleged crime and having regard to the fact that application for anticipatory bail of co-accused persons similarly circumstanced with the petitioner nos. 1 and 2 have been denied by a coordinate bench of this court in CRM 7993 of 2017 dated 12.9.2017, we are not inclined to grant anticipatory bail to them.

However, the petitioner no. 3 stands on the same footing as that of a co-accused namely, Altab @ Altab Sk. in CRM 2954 of 2015 dated 6.4.2015 and another co-accused namely, Mustaq Sk. in CRM 6665 of 2016 dated 8.11.2016 who have been granted anticipatory bail, we are inclined to grant anticipatory bail to him.

Accordingly, we direct that in the event of arrest the petitioner, namely, Fatik Biswas @ Masrekul Biswas shall be released on bail upon furnishing a bond of Rs. 10000/- 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.

With the aforesaid observation, the application for anticipatory bail, being CRM 1361 of 2021 is, thus, disposed of.

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

(Suvra Ghosh, J)

(Soumen Sen, J)