

12.
28-07-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 1390 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal Police Station** Case No. **663 of 2020** dated **06.11.2020** under Sections **341/325/307/34** of the Indian Penal Code and Sections 3/4 of the Explosive Substance Act.

- A n d -

In the matter of : Nasir @ Nasiruddin Malita @ Malitha & Ors. Petitioners.

Mr. M. Chatterjee,
Mr. G. N. Imrohi,
Mr. D. Majumder,

... For the Petitioners.

Mr. Md. A. Hossain,
Mr. S. Biswas

... For the State.

The petitioners have been charged with offence punishable under Sections 341/325/307/34 of the Indian Penal Code read with Sections 3/4 of The Explosive Substance Act, 1908. They pray for anticipatory bail.

We have heard learned Counsel for the parties and we have seen the material in the case diary. It appears that the petitioner no. 1 exploded a bomb in a situation of village rivalry.

It does not, *prima facie*, appear to be any premeditated action.

We are of the view that the petitioners need not be immediately taken into custody so long as the petitioners

cooperate with the Investigating Officer. We are told that charge-sheet has been filed.

Further, the injuries sustained by the victims by reason of the bomb blast are also found to be simple in nature.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each, 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. They shall report to the Officer-in-Charge of the concerned police station once every ten days.

The application of anticipatory bail being CRM 1390 of 2021 is, thus, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)