

04.08.2021
Item no. 14
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 1572 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 08.02.2021 in connection with Malda Police Station Case No. 228 of 2019 dated 16.04.2019 under Sections 341/323/325/354/308/506/34 of the Indian Penal Code.

And

In the matter of : Gopal Halder.

.....Petitioner.

Mr. Arup Kr. Bhowmick, Advocate,
.....for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Advocate,
Ms. Sima Biswas, Advocate,
.....for the State.

The petitioner seeks parity with co-accused standing on the same footing who was granted anticipatory bail by a co-ordinate Bench of this Court on 19.01.2021 in CRM 203 of 2021.

Allegation against the petitioner is inter alia under Sections 354/308 of the Indian Penal Code.

The State refers to the case diary and opposes the prayer for anticipatory bail.

Having considered the material on record and also as similarly circumstanced co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court earlier, we are inclined to extend the same privilege to the petitioner also.

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 CRM 1572 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.)