

14.06.2021

(Via Video Conference)

Court No.30
Item No.16
(Partly
Allowed)

CRM 1852 of 2021

akd
&
ab

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 481 of 2020, dated 09.10.2020 under Sections 447/325/326/354/307/34 of the Indian Penal Code.

And

In the matter of : **Budu Sk. @ Budurulla Sk. & Ors.**
...Petitioners

Mr. Asraf Mondal.

...For the Petitioners

**Mr. N. Ahmed,
Mr. Md. Anwar Hossain,
Ms. Benajir Hasna.**

...For the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that, the complaint is a counter-blast to an earlier complaint filed on behalf of the petitioners. Both the complaints emanate out by a property dispute. He submits that, some of the accused were granted anticipatory bail on March 20, 2021 in CRM 11288 of 2020. He further submits that, the petitioners are of the same footing as that of the petitioners in CRM 11288 of 2020.

Learned Advocate appearing for the State submits that, all the petitioners herein cannot be said to be similarly situated as that of the petitioners in CRM 11288 of 2020. The victims named the petitioner nos. 1 and 2 in their statement. Therefore the anticipatory bail may not be granted.

We have considered the case diary. We find that the victims named the petitioner nos. 1 and 2 as assailants.

Consequently, the prayer for anticipatory bail of the petitioner nos. 1 and 2 are rejected.

So far as the petitioner nos. 3 to 9 are concerned, we are inclined to grant anticipatory bail.

In the event of arrest the petitioner nos. 3 to 9 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 of the concerned police station with conditions as laid down under Section 438(2) of the Code of Criminal Procedure and on the further condition that the petitioner nos. 3 to 9 shall mark their presence with the Investigating Officer until the completion of the investigation.

CRM 1852 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)