

12.08.2021

CRM 1976 of 2021

**Court No.28
Item No.299
(Allowed)**

**Akd
&
As**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Santipur Police Station Case No. 361 of 2020 dated 13.08.2020 under Sections 341/325/326/307/34 of the Indian Penal Code;

And

In the matter of : **Bharat Mahato @ Kala & Anr.**
...Petitioners

Ms. Sananda Bhattacharyya.
...For the Petitioners

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.
...For the State.

Apprehending arrest in connection with Santipur Police Station Case No. 361 of 2020 under Sections 341/325/326/307/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

The instant application for anticipatory bail is taken out by the petitioners on the ground of parity.

According to the learned Advocate for the petitioners, another co-accused, who stands on the same footing, namely Deb Sarkar @ Deb Kumar Sarkar, has been granted anticipatory bail in CRM 1234 of 2021 by this Court.

Learned Advocate for the State in his usual fairness submits that the petitioners stand on the same footing that of the said co-accused.

In view of the same, we do not find any justification in not extending the benefit of anticipatory bail to the petitioners on the ground of parity.

Accordingly the prayer for anticipatory bail is allowed.

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 of the concerned police station subject to the condition that they will appear before the Trial Court on every date of

hearing and on further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event, the petitioners fail to do so without any justifiable cause, the Trial Court shall be at liberty to pass an appropriate order in accordance with law without further reference to this Court.

The application for anticipatory bail, being CRM 1976 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)