

28.05.2021

Sl. No. 65

Srimanta

Ct. No. – 28

D/L

**CRM/2014/2021
(Via Video Conference)**

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

In the matter of : Imran Ahmed @ Imran & Ors.

... petitioners.

Mr. Suman De, Adv.,

...for the petitioners.

Mr. Madhusudan Sur, A.P.P.,

Mr. Dipankar Pramanick, Adv.

...for the state.

Apprehending arrest in connection with Howrah Police Station Case No. 280 of 2020 dated 30th August, 2020 under Sections 143/186/188/323/325/326/332/333/353/307 / 505(2)/120B of the Indian Penal Code read with Sections 3/4 of the Prevention of Damage to Public Property Act and Section 9 of the Maintenance of Public Order Act and Section 51/22 of the National Disaster Management Act (G.R. No. 3762 of 2020), the petitioners have preferred the present application.

Mr. De, Learned Advocate appearing for the petitioners submits that the petitioners have been falsely implicated in an alleged incident which occurred on 30th August, 2020. Similarly situated co-accused person had already been granted anticipatory bail on 23rd December, 2020 in C.R.M. 10388 of 2020. Upon completion of investigation charge-sheet has already been filed and as such custodial interrogation/detention of the petitioners is not warranted.

Mr. Sur, Learned Advocate appearing for the State opposes the petitioners' prayer and submits that all the petitioners herein have been charge-sheeted.

Having heard the Learned Advocates appearing for the respective parties and considering the materials in the Case Diary, the nature of allegations, the extent of complicity and the fact that similarly situated co-accused person had been granted anticipatory bail, we are of the opinion that custodial interrogation/detention of the writ petitioners is not warranted more so when upon completion of investigation charge-sheet has been submitted.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Imran Ahmed @ Imran, Bajrang Bali Jaswal @ Anil Jaiswal @Bajranwali @Bajrang Bali Jaiswal, Bishal Jaiswal, Ayush Shaw @ Ayush Kumar Shaw, Sourav Jaiswal @ Sunny Jaiswal, Iswar Jaiswal @ Iswar Prasad Jaiswal** shall be released on anticipatory 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioners shall be present on the dates specified for hearing before the Learned Court below.

Accordingly, the application for anticipatory bail being CRM No. 2014 of 2021 is **disposed of**.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)