

01.09.2021
Item no.27
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 2018 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 22.02.2021 in connection with Bagnan Police Station Case No. 177 of 2018 dated 08.05.2018 under Sections 150/153A/120B of the Indian Penal Code and under Section 9(b) of the Indian Explosive Act and Section 4 of the Explosive Substances Act.

And

In the matter of : Suvomay Mondal @ Suvomoy

Mondal @ Suvo @ Pocha & Anr.

.....Petitioners.

Mr. Pronojit Roy, Advocate,

.....for the Petitioners.

Mr. Shiladitya Banerjee, Advocate,

.....for the State.

The petitioners claim parity. They draw to our attention an order dated January 13, 2020 passed by a co-ordinate Bench in CRM 381 of 2020 whereby anticipatory bail was granted to one Premangshu Rana, a co-accused person.

We have seen the statements of witnesses in the case diary. Premangshu Rana is named in some of those statements. The petitioners' names also appear in some of those statements. The petitioners appear to be similarly circumstanced as the said Premangshu Rana.

In view of the aforesaid and also on an overall consideration of the material in the case diary and the fact that charge sheet has already been submitted, immediate custodial interrogation of the petitioners may not be necessary.

Accordingly, in the event of arrest, the petitioners namely Suvomay Mondal @ Suvomoy Mondal @ Suvo @ Pocha and Mrinal Majumdar 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.

In case the petitioners fail 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 2018 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)