

04.08.2021
Item no.51.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2198 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 25.02.2021 in connection with Kankartala Police Station Case No.55 of 2018 Dated 10.11.2018 under Sections 147/148/149/325/354/307 506 of the Indian Penal Code read with Sections 3 and 4 of the Explosive Substance Act

And

In the matter of : Sekh Anarul & Others

.....Petitioners.

Mr. Abdur Rakibfor the Petitioners.

Mr. Rana Mukherjee, Ld. APP,
Ms. Sujata Dasfor the State.

The allegation against the petitioners is under Sections 147/148/149/325/354/307/506 of the Penal Code and Sections 3/4 of the Explosive Substance Act.

It is submitted on behalf of the petitioners that they have been falsely implicated in this case. Six other co-accused persons, who stand on the same footing as the present petitioners, have been granted bail by the learned Court below. Charge sheet has been submitted.

The State opposes the prayer for anticipatory bail and refers to the injury report of the victim along with other material in the case diary.

We have considered the material in the case diary. Charge sheet has been submitted. Six other co-accused persons, who stand on the same footing as the present petitioners, have been granted bail. In view of the nature of allegations and extent of involvement of the petitioners in the alleged offence and also as charge sheet has been submitted, we are inclined to hold that immediate custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail so long as they cooperate with the Investigating Officer in case of further investigation.

Accordingly, 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 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 C.R.M. No.2198 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.)

