

51. 11.08.2021
Ct.32
SB

C.R.M. 2568 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 10.03.2021 in connection with Kaliachak Police Station Case No. 620/2020 dated 14.08.2020 under Sections 14(A) (b)/(C) of the Foreigners Act and Section 120B of the Indian Penal code.

And

In the matter of: - Masedur Rahaman & Anr.

Mr. Arup Kumar Bhowmick ...for the petitioners.

Mr. S. S. Imam
Ms. Sonali Bhar

...for the State

The name of the petitioner no. 1 does not appear in the charge sheet. Naturally he cannot be wanted in connection with this case. The application for anticipatory bail is not pressed on behalf of the petitioner no. 1.

In so far as the petitioner no. 2 is concerned two co-accused persons similarly circumstanced, were granted anticipatory bail earlier today by an order passed in CRM No. 1563 of 2021.

Having regard to the material on record and the fact that similarly placed persons have been extended the privilege of anticipatory bail, we are inclined to hold that immediate custodial interrogation of the petitioner no. 2 may not be necessary and he may be granted anticipatory bail subject to stringent conditions.

Accordingly, in the event of arrest, the petitioner no. 2 shall be released on bail upon furnishing a bond of Rs.10,000/- 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 the event of the petitioner no. 2 failing to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without reference to this Court.

The application for anticipatory bail being C.R.M. 2568 of 2021 is, accordingly, allowed.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)