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18-08-2021
(ct. no.32)
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Allowed

(Via Video Conference)

CRM 2741 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Paikar Police Station** Case No. **93 of 2020** dated **28.04.2020** under Sections **448/341/323/325/326/307/ 506/ 354A/ 34** of the Indian Penal Code.

- A n d -

In the matter of : Selim Reja @ Md. Selim Reza & ors.
.... Petitioners.

Mr. Sankha Subhro Ray

... For the Petitioners.

Mr. Rana Mukherjee, Ld. APP
Ms. Sujata Das
Ms. Debjani Sahu

... For the State.

The petitioners are 3 out of 10 accused persons. The charge is under various provisions of the Indian Penal Code including Sections 323, 325, 326 and 307 read with Sections 3/4 of the Explosive Substance Act.

The petitioners say that 3 out of the 10 accused persons have been granted bail by the learned Court below and 4 have been granted anticipatory bail.

We have considered the material in the case diary including the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. The allegations are general against the accused persons.

On an overall assessment of the facts and circumstances of the case and considering the nature of injury suffered by the victim, although charge-sheet is yet to

be submitted, in view of the fact that co-accused persons who appear to be on the same footing as the present petitioners have been enlarged on bail or have been granted anticipatory bail, we are inclined to allow the petitioners' prayer so long as they co-operate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners will 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 the event the petitioners fail 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 further reference to this Court.

The petitioners will report to the Investigating Officer once every week and whenever the Investigating Officer may call for them.

The application for anticipatory bail being CRM 2741 of 2021 is, thus, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)