

16.08.2021
Court No.30
rpan /05

C.R.M. 3652 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with GR case No.3291/2019 arising out of Islampur P.S. Case no.811 dated 27.12.2019 under Sections 147/ 148/ 149/ 341/ 326/ 302/ 506/ 120B of the Indian Penal Code, 1860 and Sections 25(1)(a)/27 of the Arms Act;

And

In Re : **Sahajahan Ali & 31 Others**

- Petitioners

Mr. Somopriyo Chowdhury,
Mr. Satadru Lahiri

....for the petitioners.

Mr. Neguive Ahmed,
Ms. Amita Gaur

....for the State.

This is application for pre arrest bail in connection with which the petitioner nos.2 to 32, by an order dated 2nd June, 2020 were favoured with an interim order directing the police not to arrest them for a period of ten weeks with conditions that the petitioner nos.2 to 32 shall cooperate with the investigation in accordance with the law and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

Learned advocate for the petitioners submits that the petitioner nos.2 to 32 have complied with all the conditions contained in the order dated 2nd June, 2020.

Mr. Ahmed, learned Additional Public Prosecutor for the State produces a report. Let the same be kept on record. Mr. Ahmed, submits that the petitioner nos.2 to 32 have cooperated with the

investigation and observed the conditions contained in the order dated 2nd June, 2020.

Having considered the submissions of both sides, we are of considered view that custodial interrogation of the petitioner nos.2 to 32 is not necessary in this case.

Accordingly, we direct that in the event of arrest the petitioner nos.2-32 shall be released on bail upon furnishing a bond of ₹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 with a further condition that the petitioners shall cooperate with the investigation and will not tamper with the evidence or intimidate the witnesses.

It is further made clear that in the event they fail to comply with the conditions without any justifiable cause, the learned trial court shall be at liberty to cancel their bail, in accordance with law, without any further reference to this Court.

The application for anticipatory bail, being CRM No. 3652 of 2020 is, thus, disposed of.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)