

CRM 2827 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Khayrasole Police Station Case No.83 of 2018 dated 23-10-2018 under Sections 302/120B of the Indian Penal Code.

- A n d -

In the matter of : Sekh Titu

.... Petitioner.

Mr. Abdur Rakib

... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

The petitioner is one out of eleven accused persons. Ten co-accused persons have been granted anticipatory bail by this Court. The relevant orders have been annexed to this petition.

The petitioner says that he stands on the same footing as the other accused persons who have been granted anticipatory bail.

The State says that it cannot be disputed that the petitioner is similarly circumstanced as the other co-accused persons. However, the petitioner has seven other criminal cases pending against him. Of course, none of the seven cases have as yet resulted in conviction as against the petitioner.

In view of the fact that the petitioner is similarly circumstanced as the other accused persons who have been granted anticipatory bail and on an overall consideration of the material in the Case Diary, we are of the view that the

same privilege may be extended to the petitioner also keeping in mind that Charge Sheet has already been submitted.

Accordingly, in the event of arrest, the petitioner, namely, **Sekh Titu**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner fails 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 application for anticipatory bail being CRM 2827 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.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**