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Allowed

CRM 2981 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bharatpur P.S Case No. 198 of 2020 dated 03.8.2020 under Sections 447/325/308/34 of the Indian Penal Code and Sections 3 & 4 of the Explosive Substances Act.

And

**In the matter of: Ataur Rahman & Anr.
... Petitioners**

Mr. Dilip Kumar Sadhu
.... For the Petitioners

Mr. P.K. Dutta, Ld. PP
Mr. Santanu Deb Roy For the State

Learned counsel appearing for the petitioners submits that the petitioners have been falsely implicated in this case and the co-accused persons have already been granted bail.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the nature and extent of involvement of the petitioners in the alleged offence and also having regard to the fact that co-accused persons have already been granted bail, we are of the view that although custodial interrogation of the petitioners may not be necessary in the facts of the case, but their movement require to be restricted.

Accordingly, we direct that in the event of arrest of the petitioners, they shall be enlarged 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 on further condition that the petitioners shall meet the Officer-in-Charge of Bharatpur police station and they shall not enter the territorial jurisdiction of the Bharatpur police station except for meeting the investigation

agency and/or attending the court proceeding as and when necessary until further order and shall provide the address where they shall presently reside to the investigating agency and the court below.

The petitioners shall also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail is, thus allowed.

CRM 2981 of 2021 is thus disposed of.

All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this court.

(Rabindranath Samanta,J)

(Soumen Sen,J.)