

29.09.2021
Item no.65
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 3405 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 16.04.2021 in connection with Tangra Police Station Case No. 88 of 2021 dated 20.03.2021 under Sections 509/506/34 of the Indian Penal Code read with Sections 3/5 of the Explosive Substances Act.

And

In the matter of : Mintu Hazra.

.....Petitioner.

Ms. Sreeyashee Biswas, Advocate,
Ms. Puja Goswami, Advocate,
.....for the Petitioner.

Mrs. Zareen Khan, Advocate,
Mrs. Sreeparna Das, Advocate,
.....for the State.

The petitioner is one of several accused persons. We are told that all other accused persons have been granted anticipatory bail by the learned Trial Court.

The allegation is that the petitioner and the other accused persons exploded bombs in front of the house of the de facto complainant.

We have seen the material in the case diary. There is no injury report. The complainant, in his statement recorded

under Section 164 of the Code of Criminal Procedure, names other accused persons but not this petitioner.

Considering the material in the case diary and overall facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the Investigating Officer to the fullest extent.

Accordingly, in the event of arrest, the petitioner namely **Mintu Hazra** 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 case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 3405 of 2021 is, thus, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

