

25.05.2021

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***suman/
Srimanta***

Ct. 28

CRM 3471 of 2021

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

And

In the matter of:

**Saidul Islam @ Bappa @ Md. Saidul Islam &
Anr.**

....Petitioners

Mr. Sanjib Kumar Dan
Mr. Saryati Dutta
...for the petitioners

Mr. N. Ahmed
Md. Anwar Hossain
Mr. Pradipta Ganguly
...for the State

Apprehending arrest in connection with Suri Police Station Case No.67 /2021 dated 22.02.2021 under Sections 341/323/325/326/307/506/34 of the Indian Penal Code the present application has been preferred.

It is submitted by Mr. Dutta, learned advocate for the petitioners that though the petitioners are named in the F.I.R., it is not specifically alleged that they hurled bomb towards the injured or that they assaulted the injured

causing grievous hurt. Another F.I.R. named co-accused was released on bail under Section 439 of the Code by the learned Sessions Judge, Birbhum. The petitioners being on same footing may be granted benefit of anticipatory bail.

Learned P.P. –in-Charge, on the other hand has opposed the prayer for anticipatory bail by producing the memo of evidence.

We have perused the memo of evidence carefully. Considering the allegations made against the petitioners and the extent of complicity we are of the view that the petitioners are entitled to the benefit of anticipatory bail.

Accordingly, we direct that in the event of arrest, the **petitioners** namely **Saidul Islam @ Bappa @ Md. Saidul Islam and Sahanewaj Sk. @ Sahanewwaz Sk.** shall be released on anticipatory 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 arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Accordingly, the application for anticipatory bail being **CRM 3471 of 2021** is disposed of.

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

(Bibek Chaudhuri, J.)

(Tapabrata Chakraborty, J.)

