

CRM 3581 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra Police Station** Case No. **34 of 2021** dated **19.01.2021** under Section **452/427/307/120B** of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3 and 4 of the Explosive Substances Act.

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In the matter of : Amad Mollick & Ors.

.... Petitioners.

Mr. S. Majumder,

... For the Petitioners.

Mr. S. Banerjee,
Mr. P. Ghosh,

... For the State.

The petitioners say that the incident was a fall out of political rivalry between two groups. Nobody was injured in the incident although several sections of Indian Penal Code, Arms act and Explosive Substances Act have been invoked.

We have seen the material in the case diary. We also notice that one Shukdeb Brahma was granted anticipatory bail by this Court on September 29, 2021 in CRM No. 3376 of 2021. From the material on record we find that the said Shukdeb Brahma and the present petitioners are similarly circumstanced.

In view of the aforesaid and on an overall assessment of the material on record, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Amad Mollick, Fayej Sarder, Firoj Sarder @ Fatik, Ajmir Sarder, Saheb Sha** and **Abu Mollick @ Abu Chhadin Mollick** shall be

released 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 shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure and shall report to the Investigating Officer once in a fortnight until further orders.

In the event the petitioners fail 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 3581 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.)