

08.10.2021
Serial no. 23
Dd

(Through Video Conference)

CRM 4352 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **161** of **2021** dated **31.03.2021** under Sections **399, 402** of the Indian Penal Code (Corresponding to G. R. Case No. 1686 of 2021)

-And-

In the matter of : **Bhutu Sk @ Yeasin Sk @ Yasin & Anr.**
... Petitioners

Mr. Sagar Saha, Advocate
... .. For the Petitioners

Mr. S. S. Imam,
Mr. Subrato Roy, Advocates
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated on the basis of the statements of the co-accused. Moreover, the police submitted charge sheet. Therefore, custodial interrogation of the petitioners is not required.

Learned advocate appearing for the State refers to the case diary.

Considering the fact that two other co-accused were granted bail by the jurisdictional Court and considering the fact that the police submitted charge sheet, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioners shall appear before the jurisdictional Court on every date fixed for hearing.

Prayer for anticipatory bail is **allowed**.

CRM 4352 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)