

08.10.2021
Serial no. 30
Dd

(Through Video Conference)

CRM 4391 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Khayrasole** Police Station Case No. **49** of **2021** dated **12.05.2021** under Sections **143/427/436/506 of the** Indian Penal Code read with under **Section 3/4 of the** Explosive Substances Act, arising out of **G.R. Case No. 239 of 2021**

-And-

In the matter of : **Rathilal Singha & Ors.**
... **Petitioners**

Mr. Tirtha Pati Acharya,
Mr. Asdam Rakib, Advocates
... ... For the Petitioners

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan, Advocates
... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that petitioner nos. 2, 3, 4, 5, 6, 8, 9, 13 and 17 were arrested and subsequently granted bail by the jurisdictional Court. The application may be treated as not pressed on their behalf. The petitioners were falsely implicated. He refers to the order dated October 5, 2021 granting anticipatory bail to one of the co-accused.

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

Considering the fact that some of the co-accused were granted bail by the jurisdictional Court and considering that one of the co-accused was granted anticipatory bail on October 5, 2021, we are inclined to grant anticipatory bail to the petitioner no. 1, Rathilal Singha, petitioner no. 7, Sanjay Bakshi, petitioner no. 10, Chatur Das, petitioner no. 11,

Rakshakar Dhibar, petitioner no. 12, Arun Mondal, petitioner no. 14, Raju Bagdi, petitioner no. 15, Gaju Bauri, petitioner no. 16, Arjun Bauri, petitioner no. 18, Biswajit Bauri, petitioner no. 19, Samiran Sutradhar, petitioner no. 20, Prabhash Sutradhar, petitioner no. 21, Nirab Bala, petitioner no. 22, Ananta Bauri, petitioner no. 23, Jagannath Bagdi @ Bel Bagdi.

Accordingly, we direct that in the event of arrest, the petitioner nos. 1, 7, 10, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22 and 23 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 petitioner nos. 1, 7, 10, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22 and 23 shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioner nos. 1, 7, 10, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22 and 23 shall appear before the Investigating Officer once in a fortnight.

Prayer for anticipatory bail of petitioner nos. 1, 7, 10, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22 and 23 is **allowed**.

CRM 4391 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)