

(Through Video Conference)

CRM 4869 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 20.07.2021 in connection with Arambagh Police Station Case No. 266 of 2021 dated 01.07.2021 under Sections 302/34 of the Indian Penal Code.

-And-

In the matter of : **Sk. Badre Alam @ Sekh Badre Alam & Anr.**
... ...Petitioners

Mr. Kallol Mondal, Advocate

Mr. Krishan Ray, Advocate

Ms. Amrita Chel, Advocate

Mr. A. Banerjee, Advocate

... ... For the Petitioners

Mr. N. Ahmed, Id. APP

Ms. Trina Mitra, Advocate

... ... For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the principal accused is in custody. The petitioners stand on a different footing than the principal accused. Moreover, the police filed charge-sheet and, therefore, the custodial interrogation of the petitioners are not required.

Learned Additional Public Prosecutor draws the attention of the Court to the contents in the case diary.

Considering the fact that the police filed charge-sheet and considering the fact that the petitioners stand in a different footing than the principal accused who is in custody, 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 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 with a further condition that the petitioners shall appear before the jurisdictional Court and pray for regular bail within four weeks from date and on further condition that the petitioners shall appear before the jurisdictional Court on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM 4869 of 2021 is disposed of.

(Debangsu Basak, J.)

(Krishna Rao, J.)