

06.09.2021

Court No.29
Item No.48

Saswata

CRM 5110 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Domkal Police Station Case No. 841 of 2018 dated 16.11.2018 under Sections 326/304/286/120B/34 of the Indian Penal Code and Sections 3/4/5 of the Explosive Substances Act;

And

In the matter of : **Jiyarul Mandal @ Babu Sk. & Ors.**
...Petitioners

Mr. Samrat Choudhury
Mr. Anit Dey

...For the Petitioners

Mr. Binay Panda
Ms. Puspita Saha
Mr. Subham Bhakat

...For the State.

Three (3) persons are before this Court seeking anticipatory bail.

Learned advocate for the State opposes the prayer for grant of anticipatory bail. He submits that warrant of arrest is pending against all three (3) persons. He draws attention of this Court to the case diary.

Considering that the names of the petitioner nos. 2 and 3 transpire from the statements recorded under Section 161 of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner nos. 2 and 3.

The prayer for anticipatory bail of the petitioner nos. 2 and 3 is, accordingly, rejected.

So far as the petitioner no. 1 is concerned, and considering the fact that charge sheet was submitted, we grant him anticipatory bail.

The prayer for anticipatory bail of the petitioner no. 1 is allowed.

Accordingly, we direct that in the event of arrest, the petitioner no. 1 shall be released on bail upon furnishing a bond of ₹10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and the petitioner shall appear before the Court below and pray for regular bail within four weeks from date and subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973.

The application for anticipatory bail being CRM 5110 of 2021 is, thus,
disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)