

13.12.2021

Serial no. 134

Dd

(Through Video Conference)

CRM 5220 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1030** of **2020** dated **14.12.2020** under Sections **341/323/325/326/307/34** of the Indian Penal Code and Section **3/ 4** E.S. Act.

-And-

In the matter of : **Enamul Hoque & Ors.**

... Petitioners

Mr. Arup Kumar Bhowmick, Advocate
... .. For the Petitioners

Mr. S.G. Mukherjee, Ld. PP
Mr. Partha Pratim Das,
Mrs. Manasi Roy, Advocates
... ..For the State

It is submitted on behalf of the petitioners that there was a free fight between two groups. They have been falsely implicated.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime in the light of the submission that there was a free fight between the parties and as no medical papers with regard to bomb blast injuries have been placed on record, 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 also be 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 a period of four weeks from date.

This application for anticipatory bail is, thus, **allowed**.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)