

14.12.2021
cm/ct 28
sl no. 95

C.R.M. 5832 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bhadreswar P.S Case No. 121 of 2021 dated 11.05.2020 under Sections 147/148/149/186/188/332/333/153A/427/436/325/326/307 of the Indian Penal Code.

And

Allowed

In Re : Rajesh Chowdhury & Anr.

..... petitioners

Mr. Arunava Ganguly

..... for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kr. Dutta

..... for the State

It is submitted on behalf of the petitioners that there was free fight between two groups and they have been falsely implicated in the instant case. Co-accused has been granted pre-arrest bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioners, in the alleged crime and as co-accused Wakil Ahmed @ Wakil Ansari similarly circumstanced with the petitioners has been granted pre arrest bail, we are of the opinion petitioners may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

Petitioners shall appear before the court below and pray for regular bail within two weeks from date.

The application being CRM 5832 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)