

25.11.2021

Serial no. 95

Dd

(Through Video Conference)

CRM 5886 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **358** of **2021** dated **28.03.2021** under Sections **306/34** of the Indian Penal Code.

-And-

In the matter of : **Asit Mukherjee alias Bablu & Anr.**

.. ... **Petitioners**

Mr. Kusal Kumar Mukherjee, Advocate

... ... For the Petitioners

Mr. Anowar Hossain,

Ms. Ratna Ghosh, Advocates

... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statements recorded under Section 164 of the Criminal Procedure Code.

Considering the materials in the case diary and considering the statements recorded under Section 164 of the Criminal Procedure Code and considering the fact that one of the co-accused is on bail, 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 on further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date and on further condition that the petitioner no. 1 shall meet the Investigating Officer once in a month and petitioner no. 2 shall cooperate with the investigation.

Prayer for anticipatory bail is **allowed**.

CRM 5886 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)