

16.12.2021.
42.
as
(Allowed).

C.R.M. 6084 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Arambagh P. S. Case No.165 of 2021 dated 08.05.2021 under Sections 148/323/325/326/307/379/427/436/188/269/270/506/120(B)/34 of the Indian Penal Code read with Sections 51(1)(b) of the Disaster Management Act, 2005 and Section 9 of Public Order Act and Sections 3 / 4 of Explosive Substance Act.

In the matter of : Sk. Samimuddin @ Sk. Samim & Anr.
... Petitioners.

Mr. Niladri Sekhar Ghosh,
Sk. Selim Malik,
Ms. Sompurna Chatterjee.

...for the Petitioners.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Aranni Bhattacharyya.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the statements of witnesses recorded under Section 164/161 of the Code of Criminal Procedure. No injury report supporting the allegation of physical assault or injury due to bomb blast is placed on record.

Under such circumstances, 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/- 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 trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)