

14.12.2021
Item no.213
Court No.32
Avijit Mitra

C.R.M. 6418 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Manijul Sk. @ Seikh Manijul Haque & ors.

.... petitioners

Ms. Minoti Gomes,

Mr. Jisan Iqbal Hossain

....for the petitioners

Mr. Pravas Bhattacharya,

Mr. Pratick Bose

..... for the State

Apprehending arrest in connection with Beldanga Police Station Case No.330 of 2020 dated 12.08.2020 under Section 307 of the Indian Penal Code and Sections 3/4 of Explosive Substances Act, the present application has been preferred.

Ms. Gomes, learned advocate appearing for the petitioners prays for anticipatory bail on the ground of parity since other co-accused persons, similarly situated with the petitioners, had already been granted anticipatory bail by a Coordinate Bench of this Court on 28th July, 2021 in CRM No.1423 of 2021. She further submits that the allegations are omnibus in nature.

Learned advocates appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary. However, he submits that there is no injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the nature of accusations, the extent of complicity of the petitioners in the alleged offence and as co-accused persons, similarly situated with the petitioners, had already been granted anticipatory bail, we are of the opinion that custodial interrogation is not warranted.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Manijul Sk. @ Seikh Manijul Haque, Sahabul Islam @ Sahabur Islam, Samiul Islam @ Samiul Haque, Sofikul Sk. @ Tinku @ Sk. Sofikul Alam, Sadik Sk. @ Sadikur Jaman, Bokul Sk. @ Sk. Jahangir Alam, Masidul Sk. @ Md. Masidul Haque, Danesh Sk. @ Sk. Danesh Rahaman, Baharul Sk., Hazrat Ali @ Bhudeb, Mannan Sk. @ Abadul Manna, Arif Sk. @ Md. Arif Ahamed, Israfil Sk. @ Israfil Seikh, Mijanur Rahaman, Lokimuddin Sk. Nokimuddin, Humayun Ali @ Humayun Sk. Sobur Sk. @ Sabur Ali, Gazlur Rahaman @ Gazlu, Rajab Sk. @ Rajab Ali, Saiful Sk. @ Saiful Islam,** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 with a further condition that the petitioners shall attend the learned Trial Court on all the dates as fixed for hearing.

The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable

cause, the learned trial court would be at liberty to cancel the petitioner's anticipatory bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 6418 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)