

08.11.2021
Serial no. 21
Dd

(Through Video Conference)

CRM 6450 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **SPL Case No. 1/2021** arising out of **Budge Budge** Police Station Case No. **310** of **2020** dated **02.12.2020** under Sections **376/417/313/34** of the Indian Penal Code.

-And-

In the matter of : **Mehedi Hassan Molla @ Mehedi Hossain Molla @ Mehedi Hasan Molla**

... Petitioner

Mr. Partha Sarathi Mondal, Advocate
... .. For the Petitioner

Mr. Rana Mukherjee, APP
Mr. Iqbal Kabir, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the principal accused is in custody. Another co-accused was granted anticipatory bail by the order dated September 17, 2021. He submits that the petitioner can justifiably claim parity with the other co-accused who was granted anticipatory bail on September 17, 2021.

State is represented.

Considering the fact the principal accused is in custody and considering that another co-accused was granted anticipatory bail on September 17, 2021 and considering the fact that the petitioner and the principal accused stand on different footing, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on anticipatory 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 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a month.

Prayer for anticipatory bail is **allowed**.

CRM 6450 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)