

16.12.2021.

131.

as

(Allowed).

C.R.M. 6769 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.397 of 2020 dated 04.08.2020 under Sections 147/148/149/325/332/333/353/435/427 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act and Section 9 of the West Bengal Maintenance of Public Order Act.

In the matter of : Arup Sarkar & Ors..

... Petitioners.

Ms. Minoti Gomes,

Mr. M. Ghosh.

...for the Petitioners.

Mr. Swapan Banerjee,

Ms. Purnima Ghosh.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioners pray for anticipatory bail. It is contended co-accused Raju Mandal @ Raj Kumar Mandal has been granted pre-arrest bail.

Learned Advocate appearing for the State opposes the prayer for anticipatory 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 Raju Mandal @ Raj Kumar Mandal has been granted pre-arrest bail, we are inclined to extend the same privilege to the petitioners also.

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.)