

15.11.2021
Sl. No.91
akd
[ALLOWED]

C. R. M. 7138 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 26.10.2021 in connection with Arambagh Police Station Case No. 354 of 2021 dated 07.09.2021 under Sections 448/324/326/308/379/427/353/504/34 of the Indian Penal Code. (G.R. Case No.1102 of 2021)

And

In Re: **Sk. Aspiya Ali @ Sk. Aspiya & Ors.**

... .. Petitioners

Mr. Niladri Sekhar Ghosh

... .. for the petitioners

Mr. Bidyut Kumar Roy

Ms. Kum Kum Mitra

... .. for the State

It is submitted on behalf of the petitioners that they had protested against the wrongful activities of the Panchayat authorities and have been falsely implicated in the instant case.

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

Having considered the materials on record and assessing the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner and as the injuries do not appear to be grievous, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely (1) **Sk. Aspiya Ali @ Sk. Aspiya**, (2) **Munsi Saidur Rahaman @ Kanchan Munsi**, (3) **Badre Alam @ Sk. Habla**, (4) **Sk. Altab @ Sk. Altab Ali**, (5) **Sk. Muntab @ Mustab**, (6) **Sk. Harun Rasid @ Sk. Harun**, (7) **Sk. Ajijul Rahaman @ Sk. Rahul**, (8) **Sk. Jahangir Alam @ Sk. Jahangir @ Sona**, (9) **Sk. Nasiruddin @**

Baechu, (10) Sk. Momin Alam @ Sk. Momin & (11) Sk. Alam, 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 also 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.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)