

23.11.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7402 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **242** of **2020** dated **01.06.2020** under Sections 447/448/354/325/326/307/435/436/427/120B of the Indian Penal Code, 1860.

And

In Re : Alamgir Sk. & Ors.

..... petitioners

Mr. Ali Ahsan Alamgir

Ms. Riya Das

Ms. Rabia Khatoon

....for the petitioners

Mr. Subroto Roy

....for the State

Petitioners seek anticipatory bail, inter alia, on the ground of parity.

Learned advocate appearing for the petitioners submits that, the present police complaint is one of the series of police complaint lodged against the petitioner as a counter-blast to a complaint under Section 302 of the Indian Penal Code.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary.

Considering the materials in the case diary and considering the fact that the Coordinate Bench granted anticipatory bail to the other co-accused in the present police

complaint and considering the fact that the petitioner can justifiably claim parity with other co-accused and considering the fact that the notice submitted charge-sheet, we 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)