

21.12.2021
cm/ct 28
sl no. 26

C.R.M. 8197 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Amta P.S Case No. 06 of 2021 dated 07.01.2021 under Section 147/148/149/323/326/307/379 of the Indian Penal Code & under Section 25/27 of the Arms Act and under Section 3 / 4 of the Explosive Substances Act.

And

Partly Allowed

In Re : Sk. Aynal Haque @ Sk. Padma & Ors.

..... petitioners

Mr. Ayan Basu
Mr. Sk. Salim
Mr. Sourav Bera
Mr. Sumit Routh

..... for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

..... for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the First Information Report. Specific overt act has been attributed to petitioner No.4 and 7 in the First Information Report. Hence, we are not inclined to grant anticipatory bail to them. Keeping in mind the extent of complicity of the other petitioners in the alleged crime, we are inclined to grant anticipatory bail to petitioners No.1, 2, 3, 5, 6,8, 9, 10, 11, 12, 13 and 14.

Accordingly, we direct that in the event of arrest, the petitioners No. 1, 2, 3, 5,6,8,9, 10, 11, 12, 13 and 14 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.

Petitioners No. 1, 2, 3, 5,6,8,9, 10, 11, 12, 13 and 14 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 8197 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)