

03.02.2021

Item No.316

Ct.No.28

dc.

Allowed

C.R.M. 9962 of 2020

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Hazrat Sekh**

... Petitioner.

Mr. Arindam Roy

... For the Petitioner.

Mr. Narayan Prasad Agarwala,
Mr. Protick Bose

... For the State.

Apprehending arrest in connection with Kandi P.S. Case No. 328 of 2020 dated 11.08.2020 under Sections 427/143/447/286/307/448/506 of the Indian Penal Code, 1860 and Sections 3/4 of the Explosive Substances (E.S.) Act, 1908, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the present petitioner is similarly placed with the accused persons who had been granted the privilege of anticipatory bail in CRM 8781 of 2020 and CRM 7538 of 2020.

The learned advocate appearing for the State submits that there is no injury report and the petitioner is similarly

placed with the other accused persons who have been extended the privilege of anticipatory bail.

Having regard to the rival contentions and the earlier orders passed by co-ordinate Bench of this Court, we are of the opinion that custodial detention of the petitioner is not required.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely **Hazrat Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, 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 meet with the Investigating Officer of the case once a week until further orders on and from 08.02.2021.

The application for anticipatory bail, being CRM 9962 of 2020 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)