

12.03.2021

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AN/ Ct. No. 4

C.R.M. 11169 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 683/2020 dated 14.11.2020 under sections 286/304/34 of the Indian Penal Code, 1860 and 3/4/5 of the E.S. Act.

And

In the matter of : **Rajib Mondal & ors.** **... Petitioner.**

Ms. Shabana Hasin

... for the Petitioner.

Mr. Anowar Hossain

Ms. Ratna Ghosh

... for the State.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of **Rajib Mondal & ors.** is taken up for hearing and order.

It is submitted on behalf of the petitioner No. 2 that he has been arrested and prayer in this regard is not pressed.

It is submitted on behalf of the petitioners that they are innocent and have no connection with the alleged offence.

The State opposes the prayer for bail and produces the case diary and also refers to the statement of witnesses.

The allegation is death by explosion of bomb. The post-mortem report is not available.

Considering the nature of offence as well as the statement of the witnesses, we are of the opinion that custodial interrogation of the petitioner is not required for the purpose of investigation.

Accordingly, we direct that in event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) only with two sureties of like amount 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 subject to further condition that the petitioner shall meet the investigating officer once a week till submission of the charge-sheet.

The application for anticipatory bail is, accordingly, **allowed**.

CRM 11169 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)