

26.03.2021
Ct.04
RP 121
Allowed

CRM 11184 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No.57 of 2014 dated 19.01.2014 under Sections 341/326/308/34 of the Indian Penal Code.

And

In the matter of : Pradip Mandal & Ors.

.... Petitioners

Mr. Tapan Dutta Gupta
Mr. Parvez Anam

.... For the Petitioners

Mr. Sandip Chakraborty

.... For the State

The present application under section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Pradip Mandal & Ors. is taken up for hearing and order.

It is submitted on behalf of petitioners that co-accused standing on the same footing as that of the petitioners have been granted anticipatory bail by a coordinate bench. The petitioners claim parity.

The State produces the case diary and refers to the injury report and opposes the prayer for anticipatory bail. The State further submits warrant of proclamation and attachment has been issued.

It transpires that injuries sustained by the victim are not grievous and co-accused standing on the same footing as that of the petitioners have been granted anticipatory

bail earlier. In the circumstances, we are inclined to extend the same privilege to the petitioners also.

Accordingly, in the event of arrest, the petitioners are directed to be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of like amount to the satisfaction of the Arresting Officer. The petitioners will abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 11184 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)

