

23
04.02.2021
p.b./rrc

C.R.M. 188 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Samuktala Police Station Case No. 205 of 2020 dated 02.10.2020 under Sections 498(A)/306 of the Indian Penal Code.

In the matter of : **Achhanul Haque & Ors.**

... **petitioners**

Mr. Sourav Ganguly

.....For the petitioners

Mr. Ujjwal Luksom

Mr. Tapan Bhattacharjee

Ms. Namrata Das

.....For the State

The petitioners undertake to affirm and stamp the application as per the rules within 48 hours. The application is taken up on the basis of such undertaking.

On considering the relevant materials concerning the alleged complicity of the petitioners and the fact that the de-facto complainant is a cousin brother of the victim where both the parents of the victim are alive, we are of the view that the application for anticipatory bail of the petitioners may be allowed.

The petitioners will, however, make themselves available before the concerned police officer every week or as required and intimated to the petitioners by the concerned police officer.

In view of the above, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties each of like amount to the satisfaction of the arresting officer. The petitioners will be subjected to the conditions of Section 438(2) of the Code of Criminal Procedure and shall not leave the jurisdiction of the concerned police station in Alipurduar without the leave of the concerned police officer.

CRM 188 of 2021 is allowed and disposed of in terms of the above.

(Md. Nizamuddin, J.)

(Moushumi Bhattacharya, J.)