

**CRM (A) 3 of 2022**  
**(via video conference)**

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

In the matter of : **Asmat Sk @ Ashmat Sekh**  
**@ Md Asmot Sk.**

**..... petitioner**

**Mr. Tapodip Gupta**

**.....For the petitioner**

**Ms. Kum Kum Mitra**

**.....For the State**

Apprehending arrest in connection with Berhampore Police Station Case No. 563/2021 dated 06.06.2021 under Sections 3/4 of the Explosive Substances Act, the present application has been preferred.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

*Prima facie*, it appears that the extent of complicity of the petitioner is similar to one Asgar Ali, who has already been granted anticipatory bail by a coordinate Bench of this Court. As such, on the ground of parity and considering the nature of accusations, the petitioner's prayer for anticipatory bail is allowed.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Asmat Sk @ Ashmat Sekh @ Md Asmot Sk.** shall be released on bail

upon furnishing a bond of Rs.10,000/-, 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.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 3 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**