

01.02.2022

Court No.32

rpan/85

C.R.M. (A) 215 of 2022

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In re: **Chhamed Biswas @ Abdul Samad Biswas**

- Petitioner

Ms. Pramita Banerjee,
Mr. Samiul Aktar Munshi
... for the Petitioner.

Mr. Madhusudan Sur,
Mr. Manoranjan Mahata
... for the State.

Apprehending arrest in connection with Domkal Police Station Case No.414 of 2021 dated 15.07.2021 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act, the petitioner has filed the present application.

Heard the learned advocates appearing for the respective parties. Upon assessment of the materials in the case diary, *prima facie*, it appears that the petitioner is similarly situated with the other accused persons, who have already been granted anticipatory bail by different coordinate Benches of this Court. As such, on the ground of parity and considering the nature of accusations as levelled against the petitioner, we are of the opinion that custodial interrogation is not warranted, more so when, upon completion of investigation, charge sheet has also been submitted. As such, his prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioner, namely, **Chhamed Biswas @ Abdul Samad Biswas** 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 attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

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) 215 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.)