

15.02.2022
Item no. 13
Court No.32
Avijit Mitra

C.R.M.(A) 222 of 2022

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

And

In Re : Abdul Khalek & ors.

.... petitioners

Mr. Koustav Bagchi,
Mr. Arup Sarkar,
Mr. Debayan Ghosh,
Ms. Priti Kar

....for the petitioners

Mr. P.K. Datta,
Mr. Goutam Wilson

..... for the State

Apprehending arrest in connection with Chanchal Police Station Case No.978 of 2019 dated 15.11.2019 under Sections 448/376(D) of the Indian Penal Code, the present application has been preferred.

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

Upon assessing the materials in the case diary it appears that the principal accused is one, Saidul Islam, who has already been granted regular bail. The role assigned to the petitioners herein appears to be similar to that of another co-accused person namely, Sadam Ali @ Ajmal, who had already been granted anticipatory bail by this Court. Considering the nature of accusations and on the ground of parity, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners namely, **Abdul Khalek, Halim Ali @ Halim, Mabud Alam @ Mabud and Rejaul Hoque**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, 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 with a further condition that the petitioners shall meet with the Investigating Officer once a week till investigation is complete.

The petitioners shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioners' bail without any further reference to this Court.

The application for anticipatory bail being C.R.M.(A) 222 of 2022 is 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.)

