

**28.01.2022**

**Serial no. 23**

Dd

**(Through Video Conference)**

**CRM(A) 354 of 2022**

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **738** of **2021** dated **September 25, 2021** under Sections **420/406/409/34** of the Indian Penal Code.

**-And-**

In the matter of : **Najimul Hoque**

**... Petitioner**

Mr. Sujoy Sarkar, Advocate

... .. For the Petitioner

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is a data entry operator and can justifiably claim parity with that of other co-accused granted anticipatory bail.

Learned advocate appearing for the State submits that although the petitioner claims to be data entry operator, there is nothing in the case diary to corroborate such statement. In any event, the prayer for anticipatory bail of one Rosanara Khatun in CRM 6710 of 2021 dated December 14, 2021 was rejected.

In response to a query of the Court, learned advocate appearing for the State submits that Rosanara Khatun was a Karmadhaksha of the Samity.

Considering the fact that similarly situated co-accused was granted anticipatory bail, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a month till completion of investigation.

Prayer for anticipatory bail is **allowed**.

CRM(A) 354 of 2022 is **disposed of**.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**