

01.03. 2022

Court No.32
rpan / **47**

CRM (A) 448 of 2022

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

And

In Re.: **Najrul Islam & Others**

- Petitioners

Mr. Bitasok Banerjee
... for the Petitioners.

Mr. Navanil De,
Mr. Md. Anwar Hosssain
... for the State.

Apprehending arrest in connection with Gangarampur Police Station Case No.336 of 2016 dated 27.06.2016 under Sections 147/148/149/341/325/326/353/307/506 of the Indian Penal Code, 1860 read with Sections 3/4/5 of the Explosive Substances Act, 1908, the petitioners have filed the present application.

Heard the learned advocates appearing for the respective parties. Upon assessing the materials in the case diary, it, *prima facie*, appears that the role assigned to the petitioners herein is similar to that of the co-accused persons, who have already been granted anticipatory bail by a coordinate Bench of this Court on 15th September, 2021. Answering our query, Mr. Hossain, learned advocate appearing for the State submits that there is no execution report in the case diary.

In the said conspectus, we are of the opinion that custodial detention of the petitioners is not necessary, more so when, upon completion of investigation, charge sheet has been submitted.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely, **Najrul Islam, Abdul Ajij Mia** and **Atibur Rahaman @ Atibur Miya** 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, 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 petitioners 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 petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 448 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.)