

04.02.2022
Serial no. 07
Dd

CRM (A) 528 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **85** of **2020** dated **31.10.2020** under Sections **394/379** of the Indian Penal Code read with Sections **25(i)(a)/27** of the Arms Act, 1959 with added Section **395** of the Indian Penal Code, corresponding to G.R. Case No. **163** of **2020**.

-And-

In the matter of : **Elhan Haque @ Sk. Ilahan**
... **Petitioner**

Mr. Mujidas Ali Naskar,
Md. Habibur Rahaman, Advocates
... ... For the Petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Manaranjan Mahato, Advocate
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that some of the co-accused were enlarged on bail by the jurisdictional Court. The police filed charge sheet.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 of the Code of Criminal Procedure.

Considering the fact that the police filed charge sheet and considering the fact that some other co-accused were granted bail by the jurisdictional Court, 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 appear before the jurisdictional Court on every date fixed for hearing.

Prayer for anticipatory bail is **allowed**.

This application for anticipatory bail is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)