

CRM(A) No.560 of 2022

Via video conference

08.03.22

(S.R.)

Sl.28

Ct.32

Allowed

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Khayrasole** Police Station Case No.49 of 2021 dated 12/05/2021 under Sections 143/427/436/506 of the Indian Penal Code read with Sections 3/4 of the Explosive Substance Act (G.R. Case No.239 of 2021);

And

In re: Gopinath Jamadar & Ors.

... petitioners.

Mr. Kunal Ganguly

... for the petitioners.

Mr. Narayan Prasad Agarwala

Ms. Subhasree Patel

...for the State.

Heard the learned advocates appearing for the respective parties.

Considering the materials in the case diary and bearing in mind the nature of accusations in the light of the submissions as advanced by the respective parties and in view of the fact that upon completion of investigation charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioners is not necessary, more so when it appears that co-accused persons, similarly situated with the petitioners, had already been granted anticipatory bail by a Coordinate Bench of this Court.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Gopinath Jamadar, 2. Ranajit Jamadar, 3. Shanti Mandal and 4. Chandranath Mandal** will be released on bail upon furnishing a bond of Rs.10,000/- 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 with a further condition that the petitioners shall attend the Learned Court below on all the dates, as specified for hearing.

It is further directed that the petitioners shall not intimidate the witnesses 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 their bail without any further reference to this Court.

The application for anticipatory bail being CRM(A) No.560 of 2022 is, accordingly, 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.)