

10.02.2022

27

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 685 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **563** of **2021** dated **06.06.2021** under Sections 3/ 4 of the E.S. Act.

And

In Re : Mir Md. Samsul Huda @ Samsul Huda
@ Samsul Huda Mir

..... petitioner

Mr. Kaustav Bagchi
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Debayan Ghosh

....for the petitioners

Mr. Prasun Kumar Dutta
Mr. Subrata Roy

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, other co-accused were granted anticipatory bail by the Co-ordinate Bench in CRM 6434 of 2021 on December 16, 2021. The petitioner stands in the same footing.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the materials in the case diary and considering the 161 Cr. P.C. statement and considering the fact

that two other co-accused were granted anticipatory bail by the Co-ordinate Bench, we 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/-, 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 meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)