

21.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 701 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nanoor** Police Station Case No. **72** of **2021** dated **06.05.2021** under Sections 341/325/326/302 of the Indian Penal Code, 1860.

And

In Re : Sekh Nasim @ Nasim Sekh

..... petitioner

Mr. Sujoy Sarkar

....for the petitioner

Mr. Saibal Bapuli

Mr. Arijit Ganguly

Mr. Sanjib Kumar Daan

....for the State

Petitioner claims anticipatory bail on the ground of parity with other co-accuseds, who were granted anticipatory bail on January 20, 2022 in C.R.M. 8103 of 2021.

Learned advocate appearing for the State submits that, the petitioner can justifiably claim parity.

Considering the fact that the police filed charge-sheet and in view of the stand taken by the State, we grant anticipatory bail to the petitioner on the ground of parity with other co-accuseds who were granted anticipatory bail on January 20, 2022 in C.R.M. 8103 of 2021.

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 condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)