

18.02.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 830 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **364** of **2021** dated **22.07.2021** under Sections 341/326/307/427/34 of the Indian Penal Code, 1860 read with Section 25/27 of the Arms Act.

And

In Re : Sekh Najir Hossen alias Sk. Najir Hossain & Anr.
..... petitioners

Ms. Minoti Gomes
....for the petitioners

Md. Anwar Hossain
Ms. Sreyashee Biswas
....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that the police did not submit charge-sheet including any provisions of the Arms Act although the investigations were started on the basis of provisions of the Arms Act also, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 petitioners 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.)