

09.03.2022

Serial no. 11

Dd

CRM (A) 1138 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **315** of **2021** dated **26.05.2021** under Sections **448/323/326/307/379/354/34** of the Indian Penal Code (corresponding to G.R. Case No. **1177 of 2021**)
-And-

In the matter of : **Hakimuddin @ Hekmuddin & Ors.**
... Petitioners

Ms. Busra Khatun, Advocate
... .. For the Petitioners

Mr. Arijit Ganguly,
Mr. Avik Ghatak, Advocates
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. In any event, the petitioner nos. 5 and 6 are ladies.

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

Considering the gravity of the offence and the involvement of the petitioners therein and the injury reports of the two victims, we are not inclined to grant anticipatory bail to the petitioner no. 1, Hakimuddin @ Hekmuddin; petitioner no. 2., Jahidul @ Jahedul Rahaman; petitioner no. 3., Jaher @ Jaher Alam; petitioner no. 4, Samu @ Sanu Mohamed. However, we are inclined to grant anticipatory bail

to the petitioner no. 5, Maharun @ Meherun Nesha and petitioner no. 6, Sairun Nesha @ Sahenur.

Accordingly, we direct that in the event of arrest the petitioner nos. 5 and 6 shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 further condition that the petitioner nos. 5 and 6 shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that petitioner nos. 5 and 6 shall cooperate with the investigation till its completion.

Prayer for anticipatory bail of the petitioners is **party allowed**.

CRM (A) 1138 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)