

11.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1179 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **20** of **2022** dated **08.01.2022** under Sections 3/ 4 of the E.S. Act and Section 427 of the Indian Penal Code.

And

In Re : Suraj Mondal.

..... petitioner

Mr. Koustav Bagchi

Mr. Amanul Islam

Mr. Sourav Mukherjee

Mr. Debayan Ghosh

....for the petitioner

Mr. Avishek Sinha

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

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

Intriguingly enough, the 161 Cr.P.C. statement of the eye witness states that the bombs were hurled as an attempt to murder him. However, such person did not lodge any First Information Report with the police with that regard.

Considering the gravity of the offence and the involvement of the petitioner therein, 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 week 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.)