

19.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1749 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kulti** Police Station Case No. **148** of **2022** dated **08.03.2022** under Sections 147/149/323/325/307 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act.

And

In Re : Nadim Akhtar @ Babloo & Ors.

..... petitioners

Mr. Ayan Bhattacharya

Mr. Kunal Ganguly

....for the petitioners

Mr. Madhusudan Sur

Mr. Manoranjan Mahata

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner no. 1 contested the Asansol municipal election as an independent candidate. The present police case is a result of political vendetta.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.). He submits that, there are specific allegations against the petitioner nos. 9, 10 and 12.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the nature of injury suffered by the victim and considering the contention of the petitioners are sought to be falsely implicated by the petitioner no. 1 cannot be discounted at this stage, 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 further condition that the petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners 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 petitioners 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.)

