

21.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1809 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **125** of **2022** dated **04.03.2022** under Sections 447/307/120B/34 of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Khalil Sk

..... petitioner

Md. G. N. Imrohi

....for the petitioner

Mr. Sudip Kumar Ghosh

Mr. Apurba Kumar Dutta

Mr. Bitasok Banerjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, out of ten accused persons, nine were granted anticipatory bail either by the Jurisdictional Court or by the High Court. The petitioner was falsely implicated. In any event, the petitioner stand on the same footing as those, who were enlarged on anticipatory bail.

Learned advocate appearing for the State submits that, remnants of Improvised Explosive Device (IED) was found from the land belonging to the petitioner. Moreover, the petitioner is said to be the main person as appearing from the statement

recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the materials in the case diary and considering the fact that all other co-accused were granted anticipatory bail and 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 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.)

