

26.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1886 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. **122** of **2022** dated **08.02.2022** under Sections 399/402 of the Indian Penal Code, 1860.

And

In Re : Kishan Yadav @ Kishan Bhagat & Ors.

..... petitioners

Mr. Kaushik Chaudhury

Ms. Busra Khatoon

....for the petitioners

Ms. Amita Gaur

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the other co-accused were enlarged on bail by the Jurisdictional Court. The police filed charge-sheet and, therefore, custodial interrogation of the petitioners is not required.

Learned advocate appearing for the State submits that, the petitioners fled away from the spot when the other co-accused were arrested.

Considering the fact that the police filed charge-sheet and considering the fact that the other co-accused were enlarged on

bail by the Jurisdictional Court, 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 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.)