

29.04.2022
Sl. 45
Court No.29
sourav
(Allowed)

C.R.M. (A) 1989 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. **147** of **2022** dated **20.04.2022** under Sections **448/325/326/354/34** of the Indian Penal Code.

And

In the matter of: **Mijad Shaikh & Ors.**

....petitioners.

Ms. Minoti Gomes

...for the petitioners.

Mr. Avishek Sinha

...for the State.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioner submits that there is a case and a counter case in respect of the same incident. The accused in the police case lodged by the petitioner were enlarged on anticipatory bail by this Hon'ble Court passed in CRM (A) 1971 of 2022. There is a title suit pending between the private parties.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1, 2, 3 5 and 6 will report before the Investigating

Officer once a fortnight till the conclusion of the investigation and petitioner no. 4 will co-operate with 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1989 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

