

30.05.2022.

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f.b./s.b.

Allowed

**In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side**

C.R.M. (A) 2438 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23rd May, 2022 in connection with Mothabari Police Station Case No. 186 of 2020 dated 15th May, 2020 under sections 341/323/325/307 of the Indian Penal Code.
and

In the matter of : Hazrat Momin.. .petitioner

Mr. Mritunjoy Chatterjee
...For the petitioner.

Mr. Aniket Mitra ...For the State.

Petitioner apprehends arrest in connection with Mothabari Police Station Case No. 186 of 2020 dated 15th May, 2020 under sections 341/323/325/307 of the Indian Penal Code and seeks anticipatory bail. It is further submitted by the petitioner that charge sheet has been submitted.

The State refers to the case diary and opposes the prayer for anticipatory bail.

We have heard the learned counsel for the parties.

Considering the gravity of the offence and the alleged involvement of the petitioner thereto as made out by the prosecution, we are of the view that immediate custodial interrogation of the petitioners may not be necessary. The petitioner is granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing Bonds of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 on the further condition that the petitioner shall apply for regular bail before the Court below within four weeks from date.

The application for anticipatory bail, being CRM(A) 2438 of 2022 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Subhendu Samanta, J.)

(Arindam Mukherjee, J.)