

15.06.2022
SL No.149
Ct. 28
Saswata

CRM (A) 2707 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Palashipara** P.S. Case No. **465/2021** dated **21.12.2021** under **Sections 302/34 of the Indian Penal Code.**

And

In the matter of: **Giyasuddin Mandal @ Giyasuddin Sk & Ors.**

....Petitioners

Mr. Sabir Ahmed

Mr. Abdul Aziz Mondal

...for the Petitioners

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharya

...for the State.

The implication of the petitioners is on the basis of suspicion and statement of co accused before police officer.

Investigation is complete.

As the petitioner no. 1 is the owner of the De-Addiction Rehabilitation Centre and was in-charge of the affairs of the centre, where the victim was brutally assaulted and died, we are not inclined to grant anticipatory bail to him.

However, keeping in mind the extent of complicity of petitioner nos. 2 to 4, herein, and as their complicity has transpired out of suspicion or statement of co accused, we are inclined to grant anticipatory bail to them.

The prayer for anticipatory bail in respect of petitioner nos. 2 to 4 is thus allowed.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 to 4 be released on bail upon furnishing a Bond 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 and on further condition that the petitioner nos. 2 to 4 shall appear before the Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)