

20.06.2022
Serial no. 30
Aloke

CRM (A) 2875 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 327 of 2022 dated 01.05.2022 under Sections 306/34 of the Indian Penal Code.

-And-

In the matter of : **Samsul Ansari & Ors.**

... .. Petitioners

Ms. Minoti Gomes, Advocate

Mr. Amanul Islam, Advocate

Mr. Sourav Mukherjee, Advocate

... .. For the Petitioners

Mr. Saswata Gopal Mukhereje, Id. PP

Mr. Aniket Mitra, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. She submits that the first information was lodged two years after the alleged incident.

Learned Advocate appearing for the State refers to the materials in the case diary.

Considering the fact that the first information report was lodged two years after the alleged incident and considering the materials in the case diary, we are inclined to 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 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 petitioners shall report before the

Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.
CRM (A) 2875 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)