

29.06.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2949 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **851** of **2018** dated **25.12.2018** under Sections 147/148/149/506/324/307 of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Explosive Substances Act, 1908.

And

In Re : Makhom @ Makhan @ Mokaram Hossain
@ Makhon Ali @ Makhon @ Mukarram Hossain
..... petitioner

Mr. Kaushik Choudhury
....for the petitioner

Mr. T. D. Nandy
Mr. Antarikhya Basu
....for the State

Report filed in Court be taken on record.

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, other co-accuseds standing in the same footing were enlarged either on anticipatory bail or on bail by the Jurisdictional Court.

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

The claim for parity apparently cannot be disputed. Moreover, the police filed charge-sheet.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner 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 petitioner 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.)