

18.01.2022

Court No.32
rpan/08

C.R.M. 5279 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Raninagar Police Station Case No. 194 of 2021 dated 16.04.2021 under Sections 341/323/325/307/34 of the Indian Penal Code, 1860 read with Sections 3 /4 of the Explosive Substances Act, 1908 ;

And

In re: **Alamgir Hossain & 9 Others**

- Petitioners

Mr. Ali Ahsan Alamgir,
Mr. Rishav Kumar Singh,
Ms. Riya Das

... for the Petitioners.

Mr. Binay Panda,
Ms. Pushpita Saha

... for the State.

On the prayer of Mr. Alamgir, learned advocate appearing for the petitioners, the application, so far as the petitioner no.1 is concerned, is dismissed as 'infructuous' since he has already been arrested in the meantime.

He submits that the petitioners have been falsely implicated in view of a political rivalry. The allegations are omnibus in nature and in the said conspectus, custodial interrogation is not warranted.

Ms. Saha, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses, the seizure list and the emergency medical ticket.

Having heard the learned advocates and considering the materials in the case diary, the nature of accusations and the extent of complicity of the petitioner nos.2-10 in the alleged offence, we are of the opinion that custodial interrogation is not necessary. As such, prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioner nos.2 - 10 namely, **Mainul Islam Mondal, Nurul Islam Mondal, Tahasin Ali @ Tahasin Sk @ Bachhu, Kamrul Jaman, Jasim Sk @ Jasimuddin Sekh, Fulsar Sekh, Azimuddin Sekh @ Rojimuddin, Ripon Mondal @ Ripon Sk and Mostafa Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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 with a further condition that they shall meet with the Investigating Officer of the case once a week till investigation is complete.

It is further directed that the petitioner nos.2-10 shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 5279 of 2021 is partly allowed.

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

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)