

27.06.2022
Serial no.14
Aloke

CRM (A) 2968 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kharagpur (Town) Police Station Case No. 334 dated 05.06.2022 under Sections 341/379/323 and 506 of the Indian Penal Code.

-And-

In the matter of : **Md. Zarrar**

... .. Petitioner

Mr. Navnil De, Advocate
Mr. Rajeshwar Chakraborty, Advocate
Mr. Srinjan Ghosh, Advocate
Mr. Subhrajit Dey, Advocate

... .. For the Petitioner

Mr. Binay Panda, Advocate
Mr. Subham Bhakat, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner complied with the notice under Section 41 of the Code of Criminal Procedure. He highlights the delay in the lodgment of the first information report.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. He accepts the contention that the petitioner complied with the notice under Section 41 of the Code of Criminal Procedure. He submits that the motor cycle was recovered.

Considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioner therein and considering the delay in the lodgment of the first information report and the compliance of the petitioner to the notice under Section 41 A of the Code of Criminal Procedure, we are inclined to 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/- (Rupees Ten Thousand Only), 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 report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2968 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)