

15.07.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3377 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Falta** Police Station Case No. **104** of **2022** dated **04.05.2022** under Sections 342/328/307/34 of the Indian Penal Code, 1860.

And

In Re : Hobi Middya @ Habibur Midde

..... petitioner

Mr. Tapodip Gupta

....for the petitioner

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

Considering the fact that the claim for parity with the other co-accused was enlarged on anticipatory bail on July 7, 2022 passed in CRM (A) 3209 of 2022 is not seriously contested on behalf of the State and considering the fact that the police filed charge-sheet, 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 on every date 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.)