

20.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3430 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **650** of **2019** dated **28.10.2019** under Sections 341/325/326/307/302/34 of the Indian Penal Code, 1860.

And

In Re : Avijit Majumdar @ Bura

..... petitioner

Mr. Sekhar Kumar Basu
Mr. Pradip Kumar Tarafder
Mr. Sambuddha Dutta
Mr. Satadru Lahiri
....for the petitioner

Mr. Binoy Panda
Mr. Subham Bhakat
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police filed two charge-sheets. In the first charge-sheet, the petitioner was not implicated. The petitioner was sought to be implicated in the second charge-sheet. He submits that, a co-accused similarly situate as that of the petitioner was enlarged on anticipatory bail by the Coordinate Bench.

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

There are two charge-sheets filed by the police. The petitioner was not implicated in the first charge-sheet. The petitioner was sought to be implicated in the second charge-

sheet. Another co-accused was granted anticipatory bail by the Coordinate Bench on June 16, 2022 in CRM(A) 2618 of 2022.

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 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.)