

43 28.07.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 3572 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kulpi** Police Station Case No. **202 of 2021** dated **06/07/2021** under Sections **302/34** of the Indian Penal Code (G.R. No.1798 of 2021). Charge Sheet submitted vide No.216/2021 dated 02.09.2021 under Sections **302/201/120B/34** of the Indian Penal Code. Subsequent Charge Sheet submitted vide No.225/2022 dated 29.06.2022 under Sections **302/201/120B/34** of the Indian Penal Code.

In the matter of: Hamidul Haque Molla @ Hasidul Molla & Ors.
....petitioners.

Mr. Kallol Mondal
Mr. Krishan Ray

...for the petitioners.

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata

...for the State.

Mr. Palash Chandra Majhi

... for the de facto complainant.

Petitioners pray for anticipatory bail.

Considering the fact that the police filed first charge sheet not naming the petitioners and considering the fact that on reinvestigation the petitioners were included in the charge sheet, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3572 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)