

03.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3709 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **183** of **2021** dated **26.05.2021** under Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Liyakat Ali Sha Fakir @ Sayed Liyakat Ali Sha Fakir
..... petitioner

Mr. Kaushik Chaudhury
....for the petitioner

Mr. Navanil De
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police filed charge-sheet. Therefore, custodial interrogation of the petitioner is not required.

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

Considering the fact that the police filed charge-sheet and considering the fact that no explosive substance was recovered from the possession of the petitioner, 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.)