

18.08.2022
Serial no. 24
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 3938 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Mollarpur** Police Station Case No. **141** of **2022** dated **26.06.2022** under Sections **341/323/325/326/354/307/34** of the Indian Penal Code.

-And-

In the matter of : **Sanjoy Das @ Sanjoy Bayen & Anr.**

... .. Petitioners

Mr. Kunal Ganguly, Advocate

... .. For the Petitioners

Mr. Imran Ali,

Ms. Debjani Sahu, Advocates

... ..For the State

Petitioners claims parity with the other co-accuseds who were granted anticipatory bail by the order dated August 4, 2022.

Learned advocate appearing for the State refers to the materials in the case diary. She submits that the petitioners were not named in the first information report.

The other co-accuseds were granted anticipatory bail on the ground *inter alia* that, the victims suffered simple injury and that the first petitioner in such application was not named in the first information report.

Obviously, the nature of injury remains the same. The petitioners herein are named in the first information report. Some of the petitioners in the other matter were also named in the first information report.

Therefore, there is substance in the claim of parity made on behalf of the petitioners.

Consequently, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 3938 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)