

42 18.08.2022
(AD)
Court No.29
(Partly
Allowed)

C.R.M. (A) 3956 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **219 of 2022** dated **29/06/2022** under Sections **341/325/326/307/34** of the Indian Penal Code (G.R. No.3997/2022).

And

In the matter of: Sundari Halder & Ors.

....petitioners.

Ms. Minoti Gomes

...for the petitioners.

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

...for the State.

Petitioners pray for anticipatory bail.

There are materials in the case diary implicating the fifth petitioner in the incident. The allegations against the other petitioners appear to be *omnibus* in nature. In such circumstances, we are unable to grant anticipatory bail to the fifth petitioner, namely, Milan Halder.

Accordingly, the prayer for anticipatory bail of the petitioner no.5, namely, Milan Halder, is rejected.

So far as the petitioner nos.1 to 4, namely, Sundari Halder, Bikram Halder, Apan Halder and Bapan Halder, are concerned, we grant them anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner nos.1 to 4, namely, Sundari Halder, Bikram Halder, Apan Halder and Bapan Halder, 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 petitioner no.1, namely, Sundari Halder, will cooperate with the investigation till the conclusion of the investigation and petitioner nos.2 to 4, namely, Bikram Halder, Apan Halder and Bapan Halder, will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner nos.1 to 4 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 nos.1 to 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner nos.1 to 4, namely, Sundari Halder, Bikram Halder, Apan Halder and Bapan Halder, is allowed.

C.R.M. (A) 3956 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)