

CRM (A) 4014 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 127 of 2020 dated 26.05.2020 under Sections 448/302/379/506/120B/34 of the Indian Penal Code.

-And-

In the matter of : **Abul Musa Sk @ Abul Musa Sekh
@ Mucha Sk &Anr.**

... ..

Petitioners

Mr. Sabir Ahmed, Advocate
... .. For the Petitioners
Mr. N. Ahmed, Id. APP
Ms. Ayantika Roy, Advocate
... ...For the State
Mr. Habibur Rahaman, Advocate
... .. For the de facto complainant

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there is a counter police complaint in which the de facto complainant obtained anticipatory bail from the jurisdictional Court. He submits that the police filed charge-sheet inter alia under Section 306 of the Indian Penal Code after conducting investigation inter alia under Section 302 of the Indian Penal Code.

Learned Additional Public Prosecutor submits that the police case is of 2020. The petitioners are absconding since then.

Learned Advocate for the de facto complainant submits that the petitioners are pressurising the de facto complainant to withdraw the police complaint.

The police case is of May 26, 2020. The police filed charge-sheet on May 19, 2022. The charge-sheet is inter alia under Section 306 of the Indian Penal Code, 1860.

In such circumstances, 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 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) 4014 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)