

29.08.2022

27

Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M.(A) 4115 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Usthi** Police Station Case No. **324** of **2022** dated **02.08.2022** under Sections 341/325/326/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Arif Khan @ Pappu Khan & Ors.

..... petitioners

Mr. Kallol Kumar Basu

Mr. Rajesh Naskar

Md. Jannat Ul Firdous

....for the petitioners

Mr. Ranabir Roychowdhury

Mr. Sandip Chakraborty

....for the State

CRM(A) 4115 of 2022 is dismissed as not pressed so far as the eighth petitioner (Kamal Uddin Sheikh @ Kamal Sk) is concerned in view of his arrest subsequent to the filing of the petition for anticipatory bail.

The principal accused was enlarged on bail by the Jurisdictional Court.

Considering the materials in the case diary and the gravity of the offence and the involvement of the petitioner nos. 1 to 7 and 9 to 12 therein, 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/- 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 petitioner nos. 1 (Arif Khan @ Pappu Khan), 2 (Jakhariya Molla @ Jidan Nolla), 3 (Samiul Molla @ Rajesh Molla), 4 (Imran Sk), 5 (Siraz Gayen), 6 (Ashik Molla), 7 (Ismail Munshi), 9 (Kabiruddin Shaikh @ Kabir Sk), 10 (Kalimuddin Sheikh @ Kalim Sk), 11 (Murshid Uddin Sekh @ Murshid Sk) and 12 (Afridi Sk) shall meet the Investigating Officer once a month till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, partly allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

