

(Through Video Conference)

CRM 8938 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.12.2021 in connection with Arambagh Police Station Case No. 331 of 2021 dated 15.08.2021 under Sections 324/325/326/308/354(B)/506/34 of the Indian Penal Code.

-And-

In the matter of : **Samir Koley & Ors.**

... ..Petitioners

Mr. Niladri Sekhar Ghosh, Advocate

Ms. Sampurna Chatterjee, Advocate

... .. For the Petitioners

Mr. Saswata Gopal Mukherjee, Id. PP

Mr. Partha Pratim Das, Advocate

Ms. Manasi Roy, Advocate

... .. For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners are not the main assailants. Moreover, the police submitted charge-sheet, therefore, custodial interrogation of the petitioners are not required.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the gravity of the offence and the complicity of the petitioners therein and considering the fact that the police filed charge-sheet, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with a further condition that the petitioners shall appear before the Court below and pray for regular bail

within four weeks from date and on further condition that the petitioners shall appear before the Court below on every date fixed for hearing.

In the event, the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the anticipatory bail of the petitioners in accordance with law without further reference to this Court.

The prayer for anticipatory bail is allowed.

CRM 8938 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)