

20 04.01.2022
(AD) Court No.29
(Partly
Allowed)

**C.R.M. 8991 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nanoor** P.S. Case No. **37 of 2021** dated **24/03/2021** under Sections **341/323/325/326/307/427/34** of the Indian Penal Code, 1860 and under Sections **3/4** of the Explosive Substance Act.

And

In the matter of: Kartick Chandra Saha @ Kartick Saha & Ors.
....petitioners.

Mr. Sujoy Sarkar
...for the petitioners.

Ms. Zareen N. Khan
Mr. Ashok Das
...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the incident was result of a political rivalry. The petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the petitioner nos.1 and 2 are named in the statement recorded under Section 161 of the Code of Criminal Procedure.

Considering the nature of the offences and the complicity of the petitioners therein and considering the injury report and considering the statement recorded under Section 161 of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner no.1(Kartick Chandra Saha @ Kartick Saha) and petitioner no.2 (Santanu Saha). Accordingly, the prayer for anticipatory bail of the petitioner nos. 1 and 2 are rejected. However, we grant anticipatory bail to the petitioner nos.3 to 7.

Accordingly, we direct that in the event of arrest, the petitioner nos. 3 to 7 (Prosenjit Hazra, Subal Das, Probir Pradhan @ Prabir Pradhan, Imtaj Ali Khan @ Sentu Khan, Molla Anawarul Murshed @ Niroj Molla) 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 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.3 to 7 shall appear before the jurisdictional Court on the dates fixed for trial and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8991 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)