

17.02.2022

Court No.32
rpan / **223**

C.R.M. 9045 of 2021

In Re:- An application for anticipatory bail under
section 438 of the Code of Criminal Procedure ;

And

In re: **Abdul Kalam @ Kalam & 5 Others**

- Petitioners.

Mr. Kalidas Saha

... for the Petitioners.

Mr. Gautam Banerjee

... for the State.

Apprehending arrest in connection with
Harishchandrapur Police Station Case No.315 of 2020 dated
22.05.2020 under Sections 341/326/324/354/34 of the Indian
Penal Code, the petitioners have filed the present application.

Having heard the learned advocates appearing for the
respective parties and considering the materials in the case
diary, the nature of accusations and the possible extent of
complicity of the petitioners in the alleged offence, we are of the
opinion that custodial interrogation is not necessary. However,
their movement needs to be restricted.

Accordingly, we allow the prayer for anticipatory bail and
direct that in the event of arrest, the petitioners, namely **Abdul
Kalam @ Kalam, Md Morsalim @ Morsalim, Md Mostafa,
Mittahul @ Maftahul, Moktar Hossain @ Muktar Alam and
Aktarul @ Aktarul Hoque @ Akhtarul** 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 with a further condition that they shall not enter the jurisdiction of Harishchandrapur Police Station, save and except for meeting with the investigating officer of the case once a week till investigation is complete.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 9045 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)