

15.09.2022
Serial no. 16
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 4421 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Mahishadal** Police Station Case No. **335** of **2021** dated **09.10.2021** under Sections **365** of the Indian Penal Code (G.r. Case No. **1903 of 2021**)

-And-

In the matter of : **Ananda Dolai @ Ananda Doloi & Anr.**

... .. **Petitioners**

Mr. Suman De, Advocate

... .. *For the Petitioners*

Mr. Pravas Bhattacharya,

Mr. MFA Begg, Advocates

... ..*For the State*

The claim for parity with the other co-accuseds who were enlarged on anticipatory bail by the order dated April 7, 2022 passed in CRM (A) 1603 of 2022 is not being disputed on behalf of the State.

There is a delay in the lodgment of the first information report.

The victim apparently was a chronic alcoholic.

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 further condition that the petitioners shall report before the

Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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) 4421 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)