

28.09.2022
Serial no.21
Aloke

CRM (A) 4588 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 1041 of 2019 dated 14.10.2019 under Sections 341/506/436/304/186/332/333/120(B) of the Indian Penal Code read with Sections 3/4 of the Prevention of Damage to Public Property Act.

-And-

In the matter of : **Bishu Khan @ Bisu Khan**

... ... Petitioner

Mr. Priyankar Ganguly, Advocate

... ... For the Petitioner

Mr. Saibal Bapuli, Id. APP

Ms. Sayanti Santra, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

The claim for parity is not being disputed on behalf of the State.

There is an issue of the petitioner not participating in the proceedings for a period of three years. However, since another co-accused was granted anticipatory bail, we are inclined to extend the same facility to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 4588 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)