

29.09.2022.

48.

AD/KC

(Allowed).

C.R.M. (A) 4756 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Islampur P. S. Case No. 321 of 2022** dated **19.07.2022** under Sections **306/34** of the Indian Penal Code, 1860.

In the matter of : Rabiul Mia

... Petitioner.

Ms. Minoti Gomes

Mr. Biswajit Sarkar.

...for the Petitioner.

Ms. Sujata Das.

.....for the State.

Petitioner is the brother-in-law of the victim. Co-accused/father-in-law of the victim has been granted pre-arrest bail. He stands on the same footing.

We have considered the allegations against the petitioner. He stands on the same footing with co-accused Ansar Mia @ Md. Ansar Ali, who has been granted pre-arrest bail by a coordinate Bench of this Court. Under such circumstances, we are inclined to extend the same privilege to the petitioner. Consequently, we grant anticipatory bail 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/-, 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 petitioner shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear every day 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.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)