

ASR
/S. 17.10.2022
Bane
rjeel
173.

C.R.M (A) 4968 of 2022

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

In Re : Tuhin Chandra Mahato & Anr.

....Petitioners

Mr. Aritra Bhattacharya

...for the petitioners

Mr. Anwar Hossain

Mr. Mirza Firoj Ahamed Begg

.....for the State

This is an application for anticipatory bail.

We have considered the materials placed before us including the medical report. We are persuaded as well by the fact that five of the co-accused have been granted anticipatory bail while one has been granted bail. Hence, we are of the view that custodial interrogation of the petitioner is not required.

Accordingly, in the event of arrest the petitioners shall be released on bail upon furnishing bond of Rs. 10,000/ (rupees ten thousand only) each with two sureties of like amount, one of whom shall be local and to the satisfaction of the arresting officer, the petitioners shall be subjected to the condition under Section 438 (2) of the Code of Criminal

Procedure and the petitioners shall make themselves available for trial before the learned court below as and when the petitioners are called to do so.

CRM (A) 4968 of 2022 is accordingly allowed.

In the event, the petitioners fail to comply with the above condition, the learned court below shall be at liberty for canceling the order without further reference to this court.

(Moushumi Bhattacharya, J.)

(Saugata Bhattacharyya, J.)