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/S. 17.10.2022
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C.R.M (A) 4971 of 2022

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

In Re : Madhab Chandra Sardar & Ors.

....Petitioners

Mr. Dipanjan Chatterjee
Mr. Anirban Ghosh

...for the petitioners

Mr. Joydeep Roy
Ms. Jujata Das

.....for the State

This is an application for anticipatory bail.

In consideration of the submission made on behalf of the learned Advocates representing the parties to this anticipatory bail application, it appears that the incident took place in 2020 and subsequently three accused were arrested and subsequently released on bail and eight co-accused were discharged.

Today there are eight petitioners before us seeking anticipatory bail in relation to the same alleged offence.

The prayer for anticipatory bail has been opposed by the learned Advocate for the state.

We have considered the medical report as well as

the materials available on record and taking into consideration the extent of complicity in commission of the offence, we are of the opinion that custodial interrogation at this belated stage is not necessary.

Accordingly, the application for anticipatory bail is allowed.

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) 4971 of 2022 is accordingly allowed and disposed of.

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.)