

10.11.2022
Serial no.33 & 34
Aloke

CRM (A) 5046 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. 1290 of 2022 dated 16.08.2022 under Sections 143/149/186/353/447/341/506/435/283/505(1)/109 of the Indian Penal Code read with Section 9 of the West Bengal Maintenance of Public Order Act, 1972 and Section 18 of the West Bengal Highway Act and Section 32 of the Police Act.

-And-

In the matter of : **Sanjib Ghosh & Ors.**

... .. Petitioners

with

CRM (A) 5049 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. 1290 of 2022 dated 16.08.2022 under Sections 143/149/186/353/447/341/506/435/283/505(1)/109 of the Indian Penal Code read with Section 9 of the West Bengal Maintenance of Public Order Act, 1972 and Section 18 of the West Bengal Highway Act and Section 32 of the Police Act.

-And-

In the matter of : **Koustav Ghosh & Ors.**

... .. Petitioners

Mr. Rajendra Banerjee, Advocate

... .. For the Petitioners

Mr. Madhusudan Sur, Id. APP

Mr. Dipankar Paramanick, Advocate

... ...For the State

Two applications are taken up for consideration analogously as they emanate out of the same police case.

Petitioners seek anticipatory bail.

Leave granted to the learned Advocate for the petitioners to correct the cause title in CRM (A) 5049 of 2022.

Considering the gravity of the offence and the involvement of the petitioners therein in the incident and considering the fact that co-accused was granted anticipatory bail by this Court, 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 condition that the petitioners shall report before the Investigating Officer once in a month 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) 5046 of 2022 and CRM (A) 5049 of 2022 are disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)