

14.11.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5170 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jangipara** Police Station Case No. **106** of **2021** dated **22.05.2021** under Sections 147/148/149/186/332/333/307/353/427 of the Indian Penal Code and Section 9 of the Maintenance of Public Order and Sections 3/ 4 of the Explosive Substances Act and Section 4 of the Prevention of Damage to Public Property Act.

And

In Re : Saheb Mallik @ Saheb Mallick

..... petitioner

Mr. Sanat Kumar Das

Mr. Sujan Chatterjee

....for the petitioner

Mr. Rudradipta Nandy

Ms. Sonali Das

Ms. Sreeparna Das

....for the State

The police filed charge-sheet.

The petitioner is not named in the statement recorded under Section 164 of the Code of Criminal Procedure.

Several co-accuseds were enlarged on anticipatory bail.

The Court is informed that there was a prayer for issuance of warrant and proclamation of attachment as against the petitioner on November 6, 2022.

There is no material on record to suggest that proclamation of attachment was executed.

In such circumstances, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)