

28.11.2022
Serial no. 06
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 5437 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Spl. Case no. **04** of **2021** arising out of **Bhagwangola** Police Station Case No. **93** of **2020** dated **19.02.2020** under Sections **406/409/381/120B** of the Indian Penal Code and subsequently charge sheet submitted under Sections **406/409/381/420/468/471/120B** of the Indian Penal Code.

-And-

In the matter of : **Koustav Mitra @ Kaustav Mitra**
... .. Petitioner

Mr. Somnath Adhikary, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Id. APP
Mr. Aninda Sundar Chatterjee, Advocates
... ..For the State

The claim for parity of co-accused who was enlarged on bail by order dated November 16, 2022 in CRM (A) 4900 of 2022 is not being disputed on behalf of the State.

Police filed charge sheet.

In such circumstances, we are inclined to 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/- (Rupees Ten Thousand Only), 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5437 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)