

25.11.2022

Sl.22

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5458 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Uluberia** Police Station vide First Information Report Case No. **228 of 2022** dated **29.07.2022** under Sections **306/34** of the Indian Penal Code.

And

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

....petitioners.

Mr. Devi Priya Mitra

...for the petitioners.

Mr. S.S. Imam

Mr. S. Kundu

...for the State.

The claim for parity with the other co-accused who was enlarged on anticipatory bail by the order dated November 3, 2022 passed in CRM (A) 4695 of 2022 is not being disputed on behalf of the State.

In such circumstances, we extend the same facility 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos.1,3 and 4 will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5458 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)