

25.11.2022
Serial no.43
Aloke

CRM (A) 5508 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 697 of 2021 dated 27.12.2021 under Sections 341/326/307/34 of the Indian Penal Code.

-And-

In the matter of : **Sk. Islam & Anr.**

... .. Petitioners

Ms. Minoti Gomes, Advocate

Mr. Kausik Biswas, Advocate

... .. For the Petitioners

Mr. Shiladiaya Banerjee, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The principal accused was denied the facility of anticipatory bail. However, petitioners standing on the same footing as that of other co-accused who were granted anticipatory bail on June 9, 2022 passed in CRM (A) 2487 of 2022.

The Police filed charge-sheet.

In such circumstances, 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 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) 5508 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)