

29.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5520 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, 1860 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 Re : Nirendranath Das & Ors.

..... petitioners

Mr. Rajendra Banerjee

....for the petitioners

Mr. Rudradipta Nandy

Ms. Sonali Das

Mr. Subroto Roy

....for the State

The prayer for parity with regard to the other co-accuseds, who were enlarged on anticipatory bail by the orders dated November 10, 2022 passed in CRM(A) 5046 of 2022 and CRM (A) 5049 of 2022 is not being disputed on behalf of the State.

In such circumstances, we 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/- 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)