

30.11.2022
Serial no. 17
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5534 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhutni** Police Station Case No. **139** of **2022** dated **28.07.2022** under Sections **341/326/307/506/34** of the Indian Penal Code and Sections **25/27** of Arms Act.

-And-

In the matter of : **Santosh Ghosh @ Sushanta**
... .. Petitioner

Ms. Oindrila Ghosh, Advocate
... .. For the Petitioner

Mr. Ranabir Roy Choudhury,
Mr. Sandip Chakraborty, Advocates
... ..For the State

No firearm was recovered by the police.

The police also could not seize any cartridges.

The statement of the eye-witness is that, the petitioner took out a firearm and shot a bullet in order to kill the victim.

The statement recorded is not corroborated by investigations obtaining at the present stage.

All other co-accuseds were enlarged on anticipatory bail by the jurisdictional Court.

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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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) 5534 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)