

CRM (A) 5626 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Arsha Police Station Case No. 55 of 2022 dated 26.04.2022 under Sections 379/411/414/120B of the Indian Penal Code and Section 21(1)(4) of the Mines and Minerals (Development and Regulation) Act 1957.

-And-

In the matter of : **Asit Bauri**

... .. Petitioner

Mr. Pawan Kr. Gupta, Advocate
Mr. Sougata Mitra, Advocate
Ms. Sofia Nesar, Advocate
Mr. Santanu Sett, Advocate
Ms. Ankita Dey, Advocate
Mr. Jyotraditya Mondal, Advocate

... .. For the Petitioner

Mr. S.S. Imam, Advocate
Mr. Arabinda Manna, Advocate

... ..For the State

Petitioner seeks anticipatory bail on the ground of parity.

The claim for parity with the co-accused who was enlarged on anticipatory bail by the order dated November 21, 2022 passed in CRM (A) 5334 of 2022 is justified in the facts and circumstances of the present case.

State is represented.

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 condition that the petitioner will report before the Investigating Officer once in a month 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) 5626 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)