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(AD) 12.12.2022

Court No.29
(Allowed)

C.R.M. (A) 5760 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No.**650 of 2019** dated **28/10/2019** under Sections **341/325/326/307/302/34** of the Indian Penal Code,1860.

And

In the matter of: **Subhadip Saha @ Subhadeep Saha**
....petitioner.

Mr. Amit Ranjan Pati
Mr. Ashok Halder
Ms. Reshmi Mukherjee
Mr. Sunayan Ghosh

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Sonali Das

...for the State.

Petitioner prays for anticipatory bail on the ground of parity with the other co-accuseds who were enlarged on anticipatory bail by the order dated August 5, 2022 passed in CRM (A) 3744 of 2022.

Learned Advocate appearing for the State submits that he adopts the same contentions as recorded in the order dated August 5, 2022 in opposing the prayer for anticipatory bail of the petitioners.

The contentions on behalf of the State were recorded on August 5, 2022 and after due consideration thereof, the prayer for anticipatory bail of the co-accuseds were allowed.

The police filed charge sheet.

In such circumstances, we grant anticipatory bail to the petitioner on the ground of parity with the other co-accuseds

who were enlarged on anticipatory bail on August 5, 2022 passed in CRM (A) 3744 of 2022.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5760 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)