

CRM (A) 5843 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Swarupnagar Police Station Case No. 1028 of 2022 dated 20.10.2022 under Sections 341/326/307/354/34 of the Indian Penal Code.

-And-

In the matter of : **Imam Ali Dhabak & Anr.**

... .. Petitioners

Mr. S. Lahiri, Advocate
Mr. S. Azam, Advocate

... .. For the Petitioners

Mr. Swapan Banerjee, Advocate
Ms. Purnima Ghosh, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The claim for parity with the co-accused who was enlarged on anticipatory bail on December 5, 2022 passed in CRM (A) 5631 of 2022 is not being disputed on behalf of the State.

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 condition that the petitioner no. 1 will report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 2 will cooperate with the investigation till the conclusion of the investigation 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) 5843 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)