

16.12.2022
Serial no.10
Aloke

CRM (A) 5853 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kashipur Police Station Case No. 278 of 2022 dated 08.06.2022 under Sections 376D(2)(n)/354(C)/120B/506 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Sahabuddin Molla @ Baccha**

... .. Petitioner

Mr. Uday Sankar Chattopadhyay, Advocate

Mr. Santanu Maji, Advocate

... .. For the Petitioner

Mr. Prasun Kr.Datta, Advocate

Mr. Nirupam Dhali, 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 25, 2022 passed in CRM (A) 5456 of 2022 is not being disputed on behalf of the State.

In such circumstances, we extend the same facility as that of such co-accused.

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 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) 5853 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)