

20.12.2022
Serial no.24
Aloke

CRM (A) 5897 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hogalberia Police Station Case No. 351 of 2022 dated 16.11.2022 under Sections 448/376/511/34 of the Indian Penal Code.

-And-

In the matter of : **Ichhahaque Mondal & Anr.**

... .. Petitioners

Mr. Aslam Parvez, Advocate

... .. For the Petitioners

Mr. Sudip Kumar, Advocate

... ..For the State

Petitioners seek anticipatory bail on the ground of parity.

The claim for parity with the other co-accused who was enlarged on bail by the order dated December 12, 2022 passed in CRM (A) 5765 of 2022 is not being disputed on behalf of the State.

In such circumstances, we are inclined to extend the same facility 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 petitioners will report before the Investigating Officer as and when called for 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) 5897 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)