

CRM (A) 5924 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 623 of 2022 dated 30.09.2022 under Sections 341/325/326/427/379/307/34 of the Indian Penal Code and Section 3/4 E.S. Act.

-And-

In the matter of : **Rahasen Mondal & Ors.**

... .. Petitioners

Mr. Jisan Iquabal Hossain, Advocate

Ms.Chandrima Debnath, Advocate

Mr. K. Mondal, Advocate

... .. For the Petitioners

Mr. S.S. Imam, Advocate

Mr. R. Jana, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The materials in the case diary implicates the first petitioner in the incident more robustly than others.

The cartridge was recovered at the place of occurrence.

Considering the materials in the case diary and the involvement of the petitioner nos. 2 to 13, we are inclined to grant anticipatory bail to the petitioner nos. 2 to 13.

We however, unable to grant anticipatory bail to petitioner no. 1 (Rahasen Mondal).

Accordingly, we direct that in the event of arrest the petitioner nos. 2 to 13 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 nos. 2 to 13 will report before the Investigating Officer once in a week till the conclusion of the investigation and on further condition that the petitioner nos. 2 to 13 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 nos. 2 to 13 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner nos. 2 to 13 is allowed.

Prayer for anticipatory bail of the petitioner no. 1 (Rahasen Mondal) is rejected.

CRM (A) 5924 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)