

22.12.2022

Sl.43

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5963 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **238 of 2022** dated **29.03.2022** under Sections **143/144/145/147/148/149/341/188/323/307/427/506** of the Indian Penal Code read with Section **9** of the M.P.O Act.

And

In the matter of: **Samayun Ali @ Md. Samayun & Ors.**

....petitioners.

Mr. Kallol Mondal

Ms. Sabnam Laskar

...for the petitioners.

Mr. Neguive Ahmed

Ms. Ayantika Ray

...for the State.

Petitioners pray for anticipatory bail.

Apparently, the police complaint was lodged with regard to the same incident.

In the previous police complaint lodged by an individual, anticipatory bail was granted to the petitioners in CRM (A) 5851 of 2022 passed on December 16, 2022.

The present police complaint is at the behest of the police *suo motu*.

In such circumstances, it would be appropriate to enlarge the petitioners on anticipatory bail.

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 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.1,2,3,4,6 and 7 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner no.5 will cooperate with the investigation till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5963 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)