

22.12.2022

Sl.52

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5972 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **376 of 2022** dated **15.09.2022** under Sections **341/326/307/34** of the Indian Penal Code.

And

In the matter of: **Kabatulla Sk @ Felu & Ors.**

....petitioners.

Mr. Arup Kumar Bhowmick

...for the petitioners.

Ms. Sreyashee Biswas

...for the State.

The claim for parity with the other co-accuseds who were granted anticipatory bail by the order dated December 14, 2022 passed in CRM (A) 5819 of 2022 is not being disputed on behalf of the State.

In such circumstances, we 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 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 once a fortnight 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) 5972 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)