

11.
11-01-2022
(ct. no.01)
debajyoti
(allowed)

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM(A) 28 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Naxalbari Police Station Case No.263 of 2021 dated 20-11-2021 under Sections 341/326/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Subangkar Mondal @ Mandal & Ors.
.... Petitioners.

Mr. Hillol Saha Podder
... For the Petitioners.

Mr. Arun Kumar Sarkar,
Mr. Tapan Bhattacharjee
... For the State.

The petitioners say that they are similarly circumstanced as one Bablu Mandal who was granted anticipatory bail by this Court by an order dated January 03, 2022 in CRM No.1247 of 2021.

We have seen the material in the Case Diary. *Prima facie*, it appears that the petitioners stand on the same footing as the accused person who was granted anticipatory bail in CRM 1247 of 2021.

On the ground of parity, we are inclined to allow this application for anticipatory bail.

Accordingly, in the event of arrest, the petitioners, namely, **Subangkar Mondal @ Mandal, Prakash Mandal** and **Tapash Mandal**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and on further

condition that the petitioners shall meet the Investigating Officer once in a week until completion of investigation. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference of this Court.

The application for anticipatory bail being CRM(A) 28 of 2022 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)