

02.02.2022

Serial no. 2

Dd

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

(Through Video Conference)

CRM (A) 77 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Mekhliganj** Police Station Case No. **82** of **2018** dated **20.03.2018** under Sections **420/406/409/468 IPC** corresponding to G.R. Case No. **146 of 2018**.

-And-

In the matter of : **Jiyaul Hoque @ Ziyaul Hoque**
... **Petitioner**

Mr. Joydeep Bhowmik, Advocate
... ... For the Petitioner

Mr. Abhijit Sarkar,
Mr. Diswarup Roy,
Ms. Namrata Das, Advocates
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner stands on the same footing as that of the other co-accused who was granted anticipatory bail on January 31, 2022 in CRM (A) 68 of 2022. The petitioner claims parity.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Considering the fact that the petitioner can justifiably claim parity with that of the other co-accused who was granted anticipatory bail in CRM (A) 68 of 2022 on January 31, 2022, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner shall appear before the jurisdictional Court on every date fixed for hearing.

Prayer for anticipatory bail is **allowed**.

CRM (A) 77 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)