

10.01.2023

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 82 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1299** of **2022** dated **10.11.2022** under Section 25(1)(a) of the Arms Act, 1959.

And

In Re : Ghurna Sk. & Ors.

..... petitioners

Mr. Rana Mukherjee

Mr. Riddhiman Mukherjee

....for the petitioners

Mr. Avishek Sinha

....for the State

Apparently, the person from whom the fire arm was recovered was granted bail by the Jurisdictional Court.

The police are proceeding against the petitioners on the basis of the statement of the co-accused.

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/- 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 further condition that the petitioners shall meet the Investigating Officer once a week 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)