

11.01.2023
Serial no. 21
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 111 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Onda** Police Station Case No. **12** of **2022** dated **17.01.2022** under Sections **341/324/325/326/307/379/354(B)/506/34** of the Indian Penal Code, 1860.

-And-

In the matter of : **Safiulla Mondal**

... .. Petitioner

Mr. Soumik Ganguli, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee

Ms. Purnima Ghosh, Advocates

... ..For the State

Petitioner prays for anticipatory bail on the ground of parity with the other co-accuseds who were granted anticipatory bail by the order dated July 5, 2022 passed in CRM(A) 3156 of 2022.

Learned advocate appearing for the State submits that the injured suffered grievous hurt. He refers to the photographs of the injured, the injury report of the injured as also the statement of the injured recorded under Section 161 of the Criminal Procedure Code.

The petitioner is named as one of the assailants in the statement of the injured recorded under Section 161 of the Criminal Procedure Code.

Three other co-accuseds were also named as assailants in the same statement of the injured.

Such three other co-accuseds were enlarged on anticipatory bail by the order dated July 5, 2022 passed in CRM (A) 3156 of 2022.

State did not apply for cancellation of the anticipatory bail granted.

Police filed charge sheet.

In such circumstances on the ground of parity, we 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 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 111 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)