

20.01.2023

Sl.37

Court No.29

(AD)

(Allowed)

C.R.M. (A) 312 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.6124 of 2022 arising out of **Sankrail** Police Station Case No. **1097 of 2022** dated **23.10.2022** under Section **379** of the Indian Penal Code, 1860.

And

In the matter of: **Md. Washim Khurasi @ Mohammed Wasim & Anr.**

....petitioners.

Mr. Neil Basu
Mr. Sankha Biswas

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP
Ms. Sayanti Santra

...for the State.

Mr. Asis Bhattacharyya
B. Mitra

... for the de facto complainant.

The application is one of renewal. The earlier application for anticipatory bail was dismissed as not pressed in view of the mistakes committed by the learned Advocate for the petitioners.

State and the de facto complainant are represented.

The allegations as against the petitioners are of stealing of goats and subsequent threats being meted out to the de facto complainant.

The allegations herein largely uncorroborated at this stage.

Considering the materials in the case diary, the gravity of the offence and the complicity of the petitioners therein, 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) 312 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)