

22.02.2023
Serial no. 16
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 763 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Halisahar** Police Station Case No. **142** of **2022** dated **30th Day of June, 2022** under Sections **302/34** of the Indian Penal Code. Charge sheet submitted vide Charge sheet no. 84 of 2022 dated 28th Day of October, 2022 under Sections 304/34 of the Indian Penal Code.

-And-

In the matter of : **Toyeb Sk. @ Tayab Ali**
... .. Petitioner

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar, Advocates
... .. *For the Petitioner*

Mr. Swapan Banerjee,
Ms. Purnima Ghosh, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Police filed charge sheet, *inter alia*, under Section 304/34 of the Indian Penal Code, 1860 after conducting an investigation, *inter alia*, under Sections 302/34 thereof.

In view of such charge sheet and in view of such materials in the case dairy, 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 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) 763 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)