

24.02.2023

Sl.7

Court No.29

(AD)

(Allowed)

C.R.M. (A) 811 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with the G.R. Case No.392/2023 arising out of **Nowda** Police Station Case No.**37 of 2023** dated **26.01.2023** under Sections **341/307/352/506/34** of the Indian Penal Code and Sections **3/4** of the Explosive Substances Act and Sections **25/27** of the Arms Act.

And

In the matter of: **Golam Sekh @ Golam Sk.**

....petitioner.

Mr. Topodip Gupta

... for the petitioner.

Mr. Sandip Chakraborty

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that there is a police complaint with regard to the same incident. In respect of such police complaint, the High Court granted anticipatory bail to the accused therein.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the police seized remnants of bombs. He refers to the statements recorded under Section 161 of the Code of Criminal Procedure which states that three eye-witnesses saw the petitioner hurling bombs.

The case diary does not contain any injury report.

In such circumstances, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 811 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)