

27.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 839 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **38** of **2023** dated **26.01.2023** under Sections 341/325/323/307/354/34 of the Indian Penal Code, 1860 read with Sections 25/27 of the Arms Act and Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Iqbal Malithya @ Ikbal Malithya & Ors.

..... petitioners

Mr. Sabir Ahmed

Mr. Biswajit Sarkar

Ms. Suman Biswas

....for the petitioners

Mr. Saibal Bapuli

Ms. Saryati Dutta

....for the State

Co-accused was enlarged on anticipatory bail by the order dated February 10, 2023 passed in CRM(A) 615 of 2023.

Petitioners, apparently, are standing on the same footing as that of such co-accused.

The injury suffered by the injured appears to be simple in nature.

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 month 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.)