

28.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 864 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **734** of **2022** dated **17.08.2022** under Sections 198/199/200/203/467/468/471/181/182/34 of the Indian Penal Code.

And

In Re : Senjarul Islam @ Senujarul Islam & Anr.

..... petitioners

Mr. Ali Ahsan Alamgir

Mr. Soumyajit Das Mahapatra

Ms. Rabia Khatoon

Ms. June Modak

....for the petitioners

Ms. Purnima Ghosh

....for the State

There is a civil suit pending between the private parties relating to an immovable property.

The police complaint relates to the immovable property involved in the civil suit.

Co-accused was enlarged on anticipatory bail by the order dated February 16, 2023 passed in CRM(A) 691 of 2023.

Petitioner stands on the same footing as that of the co-accused.

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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)