

13.03.2023

17

Ct. No. 29

CHC

Allowed

C.R.M.(A) 937 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No.**1734/2022** dated **18.11.2022** under Sections **447/323/325/427/379/195A/120B/506/34** of the Indian Penal Code read with Section 25(1-B) (a)/35 of Arms Act.
And

In the matter of: Md. Nasiruddin (Master) & ors.

..... petitioners

Ms. Minoti Gomes,
Mr. Musharraf Alam Sk.
Ms. Susmita Ghorai

....for the petitioners

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

....for the State

Claim of the petitioners for parity with other co-accuseds who were granted anticipatory bail by the order dated February 16, 2023 in CRM (A) 652 of 2023 and CRM (A) 656 of 2023 is not being disputed on behalf of the State.

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/- (Rupees Ten Thousand only) 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 will report before the Investigating Officer once in a fortnight till the conclusion of investigation and on further condition that the petitioners will 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.)