

16.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1076 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rampurhat** Police Station Case No. **111** of **2022** dated **16.02.2022** under Sections 399/402 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act.

And

In Re : Sakoddi Seikh alias Sakurdi Sk alias Sakudi

..... petitioner

Mr. Angshuman Chakraborty

....for the petitioner

Mr. Neguive Ahmed

Ms. Jonaki Saha

....for the State

It is submitted on behalf of the petitioner that although, a previous application for anticipatory bail was served with the Office of the learned Public Prosecutor, the same was not filed.

This is the only application for anticipatory bail filed by the petitioner.

Learned advocate appearing for the State refers to the materials in the case diary.

The petitioner is yet to be arrested in respect of a proceeding claiming attempt to commit dacoity.

Co-accused was granted bail by the Jurisdictional Court.

Police filed charge-sheet.

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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)