

17.03.2023

Serial no. 11

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1104 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **273** of **2022** dated **27.05.2022** under Sections **341/326/34** of the IPC adding Section **307** of the IPC (corresponding to G.R. Case no. 603 of 2022) and charge sheet submitted under Section 341/323/326/307/34 of the IPC.

-And-

In the matter of : **Rifat Ali Mir & Anr.**

... .. **Petitioners**

Mr. Kaushik Choudhury,

Ms. Busra Khatun, Advocates

... .. *For the Petitioners*

Ms. Zareen N. Khan,

Mr. Asif Dewan, Advocate

... ..*For the State*

Ms. Zeenia Rudra, Advocate

... .. *For the de facto complainant*

Some of the co-accused was enlarged on anticipatory bail by this Hon'ble Court. The other co-accuseds were enlarged on bail by the co-ordinate Bench.

The petitioner stands on the same footing as the co-accused who was enlarged on anticipatory bail by this Hon'ble Court.

Police filed charge sheet.

In such circumstances, we are inclined to 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 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1104 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)