

27.03.2023

26

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1243 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. **449** of **2022** dated **08.09.2022** under Sections **341/326/307/353/186/34** of the Indian Penal Code read with Sections **21(c)/23(c)/28/29** of the Narcotic Drugs and Psychotropic Substances Act and under Section **51** of the Wildlife Protection Act.

And

In the matter of : Soyyap Mia @ Saiot Ali @ Saiyed Ali

..... petitioner

Mr. Kaushik Chaudhury,

Ms. Busra Khatun

....for the petitioner

Mr. Sudip Ghosh,

Mr. Apurba Kr. Datta,

Mr. Bitasok Banerjee

....for the State

The claim for parity with other co-accused enlarged on anticipatory bail by the orders dated December 8, 2022, passed in CRM (A) 5565 of 2022 and on December 22, 2022 in CRM (A) 5826 of 2022 is not being disputed on behalf of the State.

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/- (Rupees Ten Thousand only), 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 petitioner shall meet the Investigating Officer once in a week till the conclusion of investigation 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.)