

03.04.2023

12

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1394 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **144** of **2023** dated **04.02.2023** under Sections **436/427/34** of the Indian Penal Code, 1860.

And

In the matter of : Md. Ismail Ali @ Ismail Hoque
@ Fuluya & anr.

..... petitioners

Ms. Minoti Gomes,
Mr. Imdodul Hoque

....for the petitioners

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

....for the State

Claim for parity with the other co-accuseds who were enlarged on anticipatory bail by the order dated March 24, 2023 passed in CRM (A) 1214 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 month till the conclusion of 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 accuseds 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.)