

04.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1398 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampur** Police Station Case No. **16** of **2023** dated **23.02.2023** under Sections **306/34** of the Indian Penal Code.

And

In the matter of : Babli Maity Das

..... petitioner

Mr. Imtiaz Ahmed,
Mr. Ramchandra Agarwal,
Mrs. Ghazala Firdous,
Mr. Sk. Saidullah,
Mr. Mithun Mondal,
Mr. Md. Arsalan

....for the petitioner

Mr. P. K. Dutta,
Mr. S. Deb Roy

....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) 1224 of 2023 is not being disputed on behalf of the State.

Consequently, 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 will cooperate with the Investigating Officer 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.)