

04.04.2023

13

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1410 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. **473** of **2022** dated **21.10.2022** under Sections **498A/304(B)/302/34** of the Indian Penal Code read with Sections **3/ 4** of the D.P. Act. Culminating into charge sheet for the offence punishable under Sections **498A/304(B)/306/34** of the Indian Penal Code.

And

In the matter of: Subhendu Samanta & anr.

..... petitioners

Ms. Devi Priya Mitra

....for the petitioners

Mr. Saswata Gopal Mukherji, Ld. P.P.

Ms. Faria Hossain,

Ms. Mamata Jana

....for the State

Police filed charge-sheet.

Claim for parity with the other co-accused who was enlarged on anticipatory bail on March 13, 2023 passed in CRM (A) 987 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/- 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 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.)