

11.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1509 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **227** of **2020** dated **12.03.2020** under Sections 341/326/307/427/379/34 of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Tipu Sultan @ Tipu Sultan Miya & Ors.

..... petitioners

Ms. Minoti Gomes

Mr. M. Alam Sk

Ms. Susmita Ghorai

....for the petitioners

Mr. Neguive Ahmed

Ms. Trina Mitra

....for the State

CRM (A) 1509 of 2023 is dismissed as not pressed for petitioner nos. 3 (Jhoron Mia @ Jharu Sk. @ Jhru Miya) and 7 (Sujan Ali).

Police filed charge-sheet, inter alia, under Sections 341/325/307 of the Indian Penal Code, 1860 after conducting an investigations, inter alia, under Sections 341/326/307/427/379/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Explosive Substances Act.

The injury suffered by the victims were not classified as grievous hurt.

In such circumstances, we grant anticipatory bail to the petitioner nos. 1 (Tipu Sultan @ Tipu Sultan Miya), 2 (Jenarul

Hoque @ Jenarul Sk.), 4 (Meghu Mia @ Meghu Sk. @ Meghu Miya), 5 (Merajul Mia) and 6 (Jaidul Mia @ Jaidul Sk.).

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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)