

13.04.2023

Serial no. 30

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1562 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **527** of **2021** dated **26.10.2021** under Sections **448/325/354B/326A/307/427/384/379/34** of the Indian Penal Code.

-And-

In the matter of : **Panchu Ray**

... .. Petitioner

Mr. Arup Kumar Bhowmick, Advocate

... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP

Mr. Dipankar Paramanick , Advocates

... ..For the State

Claim of parity with other co-accuseds who were enlarged on anticipatory bail is being opposed on behalf of the State.

Police filed charge sheet.

Statement of the injured names several persons as the assailants. Out of the persons named as assailants, some were granted anticipatory bail by this Court while others were not.

In such circumstances, since some of the persons who are named as assailants were enlarged on anticipatory bail and since the police filed charge sheet, we are inclined to 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 1562 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)