

17.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1589 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **187** of **2022** dated **10.04.2022** under Section **25** of Arms Act, 1959 and Sections **3/ 4** Explosive Substance Act, 1908.

And

In the matter of : Awlad Hossain & anr.

..... petitioners

Mr. Anishur Rahaman

....for the petitioners

Mr. Ranabir Roy Chowdhury,

Mr. Mainak Gupta

....for the State

Petitioners claim parity with the co-accused who was granted anticipatory bail by the order dated July 20, 2022, passed in CRM (A) 3446 of 2022.

Learned advocate appearing for the State submits that there are four criminal cases pending as against the first petitioner.

The Court is informed that the first petitioner is either on bail or anticipatory bail in respect of those four police cases. Otherwise, the claim for parity with the co-accused was granted anticipatory bail in the present police case cannot be disputed.

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 shall meet 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.)