

11.05.2023

Serial no. 12

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1936 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **37** of **2023** dated **08.01.2023** under Sections **448/323/326/308/506/34** of the Indian Penal Code.*

-And-

In the matter of : **Nurul Islam @ Saiyad Noor Nabi**
... .. Petitioner

*Ms. Minoti Gomes,
Mr. Asfak Ahammed, Advocates
... .. For the Petitioner*

*Mr. D. Chatterjee, Id. APP
Mr. M. Sarkar, Advocates
... ..For the State*

Petitioner prays for anticipatory bail on the ground of parity.

Such prayer is opposed on behalf of the State.

We perused the materials in the case diary once again on the invitation of the learned advocate for the State.

The injuries were not classified as grievous hurt. Other co-accuseds were enlarged on anticipatory bail on the ground that the injury suffered by the victim was found to be not dangerous.

In such circumstances, we find that the petitioner stands on the same footing as that of the other co-accuseds who were granted the facility of anticipatory bail.

Consequently, 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 report before the Investigating Officer once in a month till the conclusion of the investigation 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) 1936 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)