

02.08.2023
(D/L 26)
Ct. No.29
Allowed
(SKB)

CRM (A) 2716 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sadaipur P.S. Case No.30 of 2023 dated 14.02.2023 under Sections 399/402 of the Indian Penal Code read with Sections 25/27 of Arms Act (G.R. Case No.168 of 2023).

In the matter of : Sk. Rabi

... petitioner

Mr. Tirthapati Acharyya

... for the petitioner

Mr. Swapan Banerjee,
Mr. Suman De

... for the State

1. Heard the learned Counsel for the parties.
2. The basis of implication of the present petitioner is stated to be the statement of the co-accused. No incriminating article is stated to have been seized from his possession.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the G.R. Case No.168 of 2023 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition:

i) The petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2716 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)