

**07.08.2023**  
ML. 97  
Court No. 29  
Sourav  
(Allowed)

**C.R.M. (A) 2865 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No. **168** of **2020** dated **06.04.2020** under Sections **302/379** IPC.

And

In the matter of: **Power Hossaain**

....petitioner.

Mr. Kallol Kumar Basu  
Md. Jannat Ul Firdous

...for the petitioner.

Ms. Zareen N. Khan  
Mr. Asif Dewan

... for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the witnesses etc.
3. The case is based entirely on circumstantial evidence. The basis of implication of the present petitioner is the statement of the co-accused who is stated to be on regular bail.
4. Charge-sheet is stated to have been filed in the meantime.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad in G.R. Case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail he shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2865 of 2023** is disposed of.
8. Learned Additional Chief Judicial Magistrate, Kandi, Murshidabad is hereby directed to act upon the server copy of this order, if required.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

