

28.07.2023
tkm/ct 28
sl no. 55

C.R.M. (A) 3012 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sankrail P.S case no. 81 of 2023 dated 29.1.2023 under sections 326/307/195A/34 IPC
And

Allowed

In Re : Ashab Masood Khan & Ors. petitioners

Mr. Sandip Chakraborty
Mr. K Das

..... for the petitioners

Mr. R D Nandy
Ms. Sonali Das
Mr. R Sengupta

..... for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case. Principal accused is on bail. They pray for anticipatory bail.

Learned lawyer for the State opposes the prayer for anticipatory bail. He submits petitioners are dangerous persons and a number of victims have been assaulted.

We have considered the materials on record. Allegations in the FIR show petitioners are not the principal accused. Principal accused is on regular bail.

Under such circumstance, we are inclined to 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/- each with two sureties of like amount, 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

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 3012 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)