

21.08.2023
(M/L 239)
Ct. No.29
Allowed
(SKB)

CRM (A) 3036 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Haroa P.S. Case No.232 dated 08.06.2023 under Sections 399/402 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Khoka @ Sk. Riyajul
@ Riyajul Islam Sk and others
... petitioners

Mr. Prantick Ghosh,
Mr. Prasad Bhattacharyya,
Mr. Aritra Kumar Thokdar
... for the petitioners

Mr. Madhusudan Sur, ld. APP
Mr. Arabinda Manna
... for the State

1. Heard the learned Counsel for the parties.
2. The basis of implication of the present petitioners is stated to be the statement of the co-accused.
3. Learned counsel for the State submits that so far as the petitioner nos.1 and 2 are concerned, there is one record of past criminal antecedent each against them.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in 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 conditions:

- i) The petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

- 5. Accordingly, the prayer for the anticipatory bail is allowed.
- 6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
- 7. The application being CRM(A) 3036 of 2023 is disposed of.
- 8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)