

**16.08.2023**  
**Sl. No.02(S/L)**  
**as**  
**[ALLOWED]**

**C. R. M. (A) 3077 of 2023**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 506 of 2023 dated 02.06.2023 under Sections 143/186/332/333/353/307/427/506/120B of the Indian Penal Code read with Sections 15/16 of the West Bengal Highways Act.

And

In Re: ***Abul Kalam Azad @ Badal Hoque & Ors.***

... .. Petitioners

Mr. Soupal Chatterjee,  
Mr. Abhijit Mondal,  
Ms. Sucheta Banerjee.

... .. for the petitioners

Mr. Ranabir Roy Chowdhury,  
Mr. Sandip Chakraborty.

... .. for the State

1. Petitioners submit allegation of assault on police personnel is false. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioners obstructed police personnel from arresting one Chaya Saha in a murder case.
3. We have considered the materials on record. Said Chaya Saha has been arrested. Allegations against the petitioners are general and omnibus. Injuries in the medical papers are noted as slight.
4. Under such circumstances, we are of the opinion custodial interrogation for progress of investigation is not necessary and the petitioners may be granted anticipatory bail.
5. Accordingly, we direct that in the event of arrest, the accuseds/petitioners viz., 1) Abul Kalam Azad @ Badal Hoque, 2) Chand @ Ilias @ Md. Alias, 3) Samim Ali, 4) Md. Kabil and 5) Rojina Bibi be released on bail upon furnishing a bond of Rs.10,000/- (Rupees

Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**