

17.08.2023

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Allowed

C.R.M. (A) No. 3374 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 81 of 2023 dated 29.01.2023 under Sections 326/307/195A/34 of the Indian Penal Code read with Section 25(1B)(a) of the Arms Act.

And

In Re : Abdul Samad & Ors. petitioners

Mr. Sandip Chakraborty
Mr. Kaustav Das

.....for the petitioners

Mr. Madhusudan Sur, learned APP
Mr. Manoranjan Mahata

....for the State

1. Learned Counsel for the petitioners submits co-accused have been granted anticipatory bail. They pray for the same relief.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Firearms have already been recovered. Co-accused are on anticipatory bail. Principal accused is on regular bail. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

4. 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 each, 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 and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5.The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)