

08.09.2023

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[Allowed]

C. R. M. (A) 3689 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 1045 of 2023 dated 09.07.2023 under Section 3 of the Explosive Substances Act, under Section 25 of the Arms Act and under Sections 323/354/448/506/34 of the Indian Penal Code.

In Re: ***Sajimuddin Sekh & Ors.***

... .. Petitioners

Md. Wasim Akram.

... .. for the petitioners

Mr. Madhusudan Sur, Id. A.P.P.,

Mr. Soumik Ganguli.

... .. for the State

1. Petitioners submit they have been falsely implicated out of political rivalry. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Allegation of assault is not supported by injury report. Possibility of false implication due to political rivalry cannot be ruled out.
4. Under such circumstances, we are inclined to grant anticipatory bail to them.
5. Accordingly, we direct that in the event of arrest, the petitioners 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 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)