

18.09.2023
ML. 94
Court No. 29
NKB

C.R.M. (A) 3701 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No. **81** of **2023** dated **30.03.2023** under Section 302/34 of the Indian Penal Code.

And

In the matter of: **Nasiruddin Sk.**

....petitioner.

Ms. M. Gomes
Mr. R. Majumdar
Mr. J. Homain

...for the petitioner.

Mr. Swapan Banerjee.
Mr. Shiladitya Banerjee

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner is stated to be on similar footing with Jannatun Bibi @ Jalema Bibi who has been released on anticipatory bail vide order dated 21.08.2023 in CRM (A) 2966 of 2023 by this court.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence, ground of parity and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his 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 petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose

of investigation till submission of Final Form.

ii) Petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

4. Accordingly, the prayer for the anticipatory bail is allowed.

5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.

6. The application being **CRM (A) 3701 of 2023** is disposed of.

7. The Arresting Officer is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

