

18.09.2023
ML. 107
Court No. 29
NKB

C.R.M. (A) 3714 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagardighi** Police Station Case No. **391** of **2021** dated **11.10.2021** under Sections 399/402 of the Indian Penal Code and Section 25/27 Arms Act (corresponding G.R. No. 2018/2021).

And

In the matter of: **Alepjan Mondal @ Situ & Ors.**

....petitioners.

Mr. Usof Ali Dewan
Mr. Asif Dewan

...for the petitioners.

Mr. Saibal Bapuli
Mr. Arani Bhattacharyya

...for the State.

1. Heard learned Counsels for the parties.
2. The basis of implication of the petitioners is the identification by the police as stated by learned Counsel for the State. Some incriminating weapons are stated to have been seized from the spot.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, absence of record of past criminal incidents as submitted by learned Counsel for the petitioners 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 condition that :
 - 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 3714 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

