

08.09.2023

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[ALLOWED]

C. R. M. (A) 3831 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 458 of 2023 dated 15.04.2023 under Sections 120-B/427/436/448/34 of the Indian Penal Code.

In Re: ***Md. Saiom Sk. @ Sayam Sk.***

... .. Petitioner

Md. Wasim Akram

... .. for the petitioner

Ms. Faria Hossain,
Ms. Baisali Basu,
Ms. Mamata Jana.

... .. for the State

1. Petitioner submits co-accused have been granted anticipatory bail. No one was injured in the course of incident.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. There is prior enmity between the parties. Allegation of setting fire to the house is not corroborated by any injuries on the inmates. Co-accused have been enlarged on bail.
4. Under such circumstances, we are of the opinion petitioner may be granted anticipatory bail.
5. Accordingly, we direct that in the event of arrest, the accused/petitioner viz., ***Md. Saiom Sk. @ Sayam Sk.*** be released on bail upon furnishing a bond of Rs.10,000/-, 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 he

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.)