

13.03.2023
Serial no. 02
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 4802 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **276** of **2021** dated **16.06.2021** under Sections **341/ 323/ 325/ 326/ 307/ 506/34** of the IPC.

-And-

In the matter of : **Rejaul Islam @ Felu Sk**
... .. Petitioner

Mr. Ali Ahsan Alamgir,
Ms. Riya Das,
Ms. Soma Mal,
Ms. June Modak, Advocates
... .. *For the Petitioner*

Mr. S. S. Imam,
Mr. S. Kundu, Advocates
... ..*For the State*

The application for anticipatory bail is taken up for consideration subsequent to order dated January 3, 2023.

Interim protection was granted to the petitioner on October 31, 2022 on the ground that, the Hon'ble Supreme Court passed an order dated February 17, 2022 with regard to some co-accuseds.

Apparently, prayer for anticipatory bail of one co-accused was rejected by an order dated December 16, 2021 passed in CRM 7380 of 2021.

Being dissatisfied with the grant of such order, a special leave petition was filed in which an interim protection was granted on February 17, 2022 by the Hon'ble Supreme Court. Subsequently, such Special Leave Petition was disposed of by an order dated February 10, 2023 confirming the interim order.

The petitioner stands in the same footing as that of the other co-accused who was enlarged on anticipatory bail by the Hon'ble Supreme Court.

Police filed charge sheet.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 4802 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)