

26.09.2023
(ADSL 04)
Ct. No.29
Partly Allowed
(SKB/Suvayan)

CRM (A) 4237 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No.502 of 2023 dated 08.09.2023 under Sections 147/148/149/186/332/333/353/325/326/307/435/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act read with Sections 3/4 of the Prevention of Damage to Public Property Act read with Section 9 of the West Bengal maintenance of Public Order Act (G.R. Case No.3020 of 2023).

In the matter of : Jahangir Fakir and others

... Petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das,
Mr. Debapriya Majumder

... for the petitioners

Mr. Rudradipta Nandy, Id. APP
Ms. Sonali Das

... for the State

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioners submits that petitioner no.1 namely Jahangir Fakir has been arrested.
3. Hence, the application is disposed of as infructuous so far he is concerned.
4. Petitioner nos. 2 to 7 are the members of a political party. Incident occurred on the day of Panchayat election. It is contended they have been falsely implicated.
5. Learned counsel for the State seeks time to produce the case diary.
6. We have considered the allegations levelled against the petitioner nos.2 to 7. Possibility of false implication due to political association cannot be ruled out. The allegations are general and omnibus.
7. Accordingly, we are inclined to grant anticipatory bail to the petitioner nos.2 to 7 namely, Mamtaz Hira, Laltu

Mridha, Milan Sk., Ruhul Amin @ Ruhul, Mohammad Molla and Masud Rana.

8. Accordingly, we direct that in the event of arrest the petitioner nos. 2 to 8 shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.
9. This application for anticipatory bail is, thus, partly allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)