

29.09.2023
Sl. No.59
akd
[ALLOWED]

C. R. M. (A) 4240 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.09.2023 in connection with Raninagar Police Station Case No. 503 of 2023 dated 09.09.2023 under Sections 448/427/379/506/435/461/34 of the Indian Penal Code, Section 9B of Indian Explosives Act and Sections 25(l)(a)/27 of the Arms Act.

And

In Re: ***Aminul Hasan Bapi & Ors.***

... .. Petitioners

Mr. Sagar Saha
Mr. Imtiaz Kabir
Mr. Nurnobi Sk.

... .. for the petitioners

Mr. Soumik Ganguli

... .. for the State

1. It is submitted on behalf of the petitioners that they are the members of a political party and have been falsely implicated due to their political affiliation. No one was injured in course of the incident. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Allegations against the petitioners are general and omnibus. No one was injured in course of the incident. Possibility of false implication due to political affiliation cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely ***(1) Aminul Hasan Bapi, (2) Selim Reja @ Selim Sk., (3) Habibur Rahaman, (4) Md. Sanuar Hossain @ Sanuar Hossain,***

(5) Md. Khairul Islam @ Khokon, (6) Alam Seikh, (7) Tuhin Ali @ Thun Ali, (8) Seikh Ainal Haque @ Ainal Haque, (9) Nahirul Sk., (10) Minarul Sk. @ Finarul Sk. & (11) Ansar Ali Mandal, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 on further condition that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)