

01.12.2023
tkm/ct 28
sl no.78

C.R.M. (A) 4972 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Shantiniketan P.S case no. 120 of 2019 dated 11.9.2019 under sections 143/144/145/153A/185/189/295A/323/341/353/308 IPC read with section 3/4 of the prevention of Damage to Public Property Act and section 9 of the Maintenance of Public Order Act

And

Allowed

In Re : Anupam Hazra

..... petitioner

Ms. K Mukherjee
Mr. Anurag Sardar
Mr. S Mukherjee

..... for the petitioner

Mr. R D Nandy
Mr. Iqbal Kabir

..... for the State

1. Petitioner submits that he is a former Member of Parliament and was always available during investigation. Due to his political activities he has been falsely implicated. He prays for anticipatory bail.
2. Learned lawyer for the State submits petitioner had absconded since 2019.
3. We have considered the materials on record. Petitioner is a former Member of Parliament. Allegation of abscondence requires to be considered in the light of his role in public life and other attending circumstances. Possibility of false implication due to his political affiliation cannot be ruled out.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall 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 be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 4972 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)