

29.11.2023
tkm/ct 28
spl no. 63

C.R.M. (A) 5009 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Palashipara P.S case no. 252 of 2023 dated 14.8.2023 under sections 447/436/427/34 IPC
And

Allowed

In Re : Hafejaddin Mallick @ Hapejaddin Mallick & Ors.

..... petitioners

Mr. Ashok Das
Mr. Sourav Mukherjee
Mr. Amanul Islam
Ms. Hasi jana

..... for the petitioners

Mr. N P Agarwala
Ms. Palash Majhi

..... for the State

1. It is submitted incident occurred due to dispute between two political groups. Co-accused have been granted pre-arrest bail. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Ptitioners stand on the same footing with the co-accused who have been granted pre-arrest bail.
4. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest, the petitioners 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.
6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 5009 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)