

29.11.2023
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as
[ALLOWED]

C. R. M. (A) 5066 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. 398 of 2023 dated 24.07.2023 under Sections 147/148/149/325/326/307/506/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act.

In Re: ***Sahidul Sk. @ Sahidul Sk. @ Sohidul Islam & Ors.***
... .. Petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das,
Mr. Debapriya Majumdar,
Mr. Tushar Hazra.

... .. for the petitioners

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Arabinda Manna.

... .. for the State

1. Petitioners submit they have been falsely implicated due to their political affiliation. Co-accused are on regular bail. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits victim suffered bomb blast injury.
3. We have considered the materials on record. Though statements of witnesses speak of presence of the petitioner at the place of occurrence, no specific overt act is attributed to them. Possibility of false implication due to political rivalry cannot be ruled out.
4. Under such circumstances, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary but petitioners require to co-operate with the investigating agency in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition petitioners while on bail shall meet the Investigating Officer once in a week until further orders. They shall appear before the court below and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)