

22.12.2023

Item No.5

Ct. No. 5

CHC

Allowed

C.R.M.(A) 5300 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **428/2023** dated **09.07.2023** under Sections **341/307/325/326/302/34** of the Indian Penal Code, 1860.

And

In the matter of : Ekramul Hoque & ors.

..... petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Imdadul Hoque
....for the petitioners

Mr. Saibal Bapuli,
Mr. Arindam Sen
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that co-accused standing on the same footing as that of the petitioner who was enlarged on anticipatory bail by the coordinate Bench.

Learned advocate appearing for the State does not oppose the prayer for grant of anticipatory bail on the ground of parity.

Co-accused Tajnara Bibi @ Tanjera Bibi was granted anticipatory bail by an order dated August 30, 2023 by the coordinate Bench of this Court in C.R.M. (A) 3509 of 2023 on the finding that no specific overt act was attributed to such co-accused.

On the ground of parity, we grant anticipatory bail to the petitioners before us.

It is directed that the petitioners shall be released on anticipatory bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that, the petitioners are directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.

Accordingly, the prayer for the anticipatory bail is allowed.

The application being **C.R.M.(A) 5300 of 2023** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)