

18.01.2023
Serial no.03
[Dd]
(Anticipatory Bail)
(**Partly Allowed**)

CRM (A) 6069 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bongaon** Police Station Case No. **288** of **2022** dated **20th March, 2022** under Sections **341/323/325/354/500/506/34** of the Indian Penal Code and under Sections **25(i)(a)/27** of the Arms Act.

-And-

In the matter of : **Subhendu Mondal & Ors.**

... .. Petitioners

Mr. Arnab Chatterjee, Advocate
... .. *For the Petitioners*

Mr. Saswata Gopal Mukherjee, Id. PP
Ms. Anasuya Sinha,
Mr. Pinak Kr. MITra, Advocates
... ..*For the State*

Report as called for by the order dated January 2, 2023 filed in Court be taken on record.

Considering the gravity of the offence and the involvement of the petitioners therein, we are not inclined to grant anticipatory bail to petitioner no. 1 (Subhendu Mondal), petitioner no. 3 (Kabi Biswas @ Kute), petitioner no. 6 (Raju Chakraborty), petitioner no. 7 (Krishnadas Modak and petitioner no. 8 (Nabin Biswas).

So far as the other petitioners, i.e., petitioner no. 2 (Kapildev Biswas @ Sasti), petitioner no. 4 (Sushanta Mondal), petitioner no. 5 (Rabi Sarkar) and petitioner no. 9 (Rana Mondal @ Sourav Mondal) are concerned, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Kapildev Biswas @ Sasti), petitioner no. 4

(Sushanta Mondal), petitioner no. 5 (Rabi Sarkar) and petitioner no. 9 (Rana Mondal @ Sourav Mondal) shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no. 2 (Kapildev Biswas @ Sasti), petitioner no. 4 (Sushanta Mondal), petitioner no. 5 (Rabi Sarkar) and petitioner no. 9 (Rana Mondal @ Sourav Mondal) shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner no. 2 (Kapildev Biswas @ Sasti), petitioner no. 4 (Sushanta Mondal), petitioner no. 5 (Rabi Sarkar) and petitioner no. 9 (Rana Mondal @ Sourav Mondal) shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner no. 2 (Kapildev Biswas @ Sasti), petitioner no. 4 (Sushanta Mondal), petitioner no. 5 (Rabi Sarkar) and petitioner no. 9 (Rana Mondal @ Sourav Mondal) in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **partly allowed**.

CRM (A) 6069 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

