

D/L 219
February 7, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 31 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 04.01.2023 in connection with Sahebganj Police Station Case No. 181 of 2021 dated 04.05.2021 under Sections 448/323/325/307/427/379/435/506/34 of the Indian Penal Code, 1860 read with Section 3/ 4 Explosive Substances Act.

And

In the matter of: Asmat Ali and another

.... petitioners

Mr. Sudip Guha

... for the petitioners

Mr. Kallol Acharjee,
Mr. Kallol Nag

... for the State

Learned counsel for the petitioners submits that at least 11 other co-accused persons standing on similar footing as the petitioners have been granted anticipatory bail. Hence, on the ground of parity, learned counsel for the petitioners seeks anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail.

However, we are convinced that the present petitioners are standing on similar footing as the others, who have obtained anticipatory bail.

Accordingly, CRM (A) 31 of 2023 is allowed, thereby granting anticipatory bail to the petitioners on condition that the petitioners

shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioners shall be released on bail upon furnishing individual bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata. The petitioners shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the court on each and every date of trial.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)