

02.03.2023

Sl. No.30
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 171 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.02.2023 in connection with Kotwali Police Station Case No. 346 of 2018 dated 17.06.2018 under Sections 307/506/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act. (G.R. Case No.551 of 2018)

And

In Re: ***Belal Hossain***

... .. Petitioner

Ms. Madhushri Dutta

... .. for the petitioner

Mr. Kallol Acharya
Mr. Ujjswal Luksom
Mr. Subhasis Mishra

... .. for the State

It is submitted on behalf of the petitioner that no one was injured. Investigation is complete. Co-accuseds have been granted pre-arrest bail.

Learned Advocate for the State opposes the prayer for anticipatory bail and submits petitioner had absconded for four years.

We have considered the materials on record. Though petitioner absconded for a period of time, we note no one was injured and investigation is complete. Under such circumstances, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Belal Hossain***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)