

AD-208
Ct No.01
Jalpaiguri
30.01.2023
TN

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

CRM (A) 724 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 72 of 2022 dated 08.03.2022 under Sections 498A/325/326/506/509 IPC.

And

In the matter of: Fajul Islam @ Fajlu Islam

.... petitioner

Mr. Dipankar Deb

... for the petitioner

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

... for the State

The present application for anticipatory bail has been filed primarily on the ground of parity and equality inasmuch as the three other co-accused persons have already been enlarged on bail.

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

However, we do not find anything on record to discriminate between the petitioner and the other co-accused persons, who are already enlarged on bail.

Accordingly, CRM (A) 724 of 2022 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj and on any other condition which the competent court may then deem fit.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)