

30.01.2024

19
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 238 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **508 of 2023 dated 08.07.2023** under Sections 147/148/149/326/307/302 of the Indian penal Code, 1860 read with Section 25(1B)(a)/27/35 of the Arms Act read with Sections 3/4 of the Explosive Substances Act and adding Section 120B of the Indian Penal Code.

And

In Re: Noman Sekh alias Numan Sekh & Ors.

..... petitioners

Mr. Avik Ghatak

Mr. Abhinav Rakshit

....for the petitioners

Ms. Antarikhya Basu

...for the State

The petitioners pray for anticipatory bail on the ground of parity with the co-accused who was extended such facility by the order dated January 4, 2024 passed in C.R.M. (A) 5736 of 2023.

Claim for parity is not being disputed on behalf of the State.

Police filed charge sheet,

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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. The petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)