

31.01.2024
DL.32
Court No.29
(AD)
(Allowed)

C.R.M. (A) 246 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No.**707 of 2023** dated **28.11.2023** under Sections **379/411/413/414/188/285/34** of the Indian Penal Code read with Section **26** of the West Bengal Fire Services Act, 1950. (G.R. Case No.8118 of 2023).

And

In the matter of: **Ajoy Saha**

....petitioner.

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta
Mr. Arpayan Muiykerjee
Mr. S.K. Mandal

... for the petitioner.

Mr. Joydeep Biswas

...for the State.

Police lodged a *suo motu* complaint with regard to an alleged incident of fire.

We perused the two seizure lists available in the case diary.

None of the two seizure lists apparently suggests that there was outbreak of fire of such a proportion for the police to intervene on *suo motu* basis. That apart, no person suffered injuries with regard to the alleged incident of fire.

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

Accordingly, we direct that in the event of arrest, the petitioner shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner

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 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 246 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)