

19.02.2024
DL-52
Court No.29
(AD)
(Allowed)

C.R.M. (A) 480 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **428 of 2023** dated **09.07.2023** under Sections **341/325/326/307/302/34** of the Indian Penal Code, 1860 (G.R. Case No.4310 of 2023).
And

In the matter of: **Jarjis Sk @ Jarjish Mia**

....petitioner.

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly
Ms. Neelanjana Ghorui
Ms. Sarmistha Basak

...for the petitioner.

Mr. Sanjay Bardhan
Ms. Ratna Ghosh

...for the State.

Claim for parity with the other co-accuseds who were granted anticipatory bail by several orders passed in different applications by the Coordinate Bench is not being disputed on behalf of the State.

However, plea of proclamation and attachment being issued and executed is set up as against the petitioner.

The present application for anticipatory bail was filed prior to the execution of the proclamation and attachment.

Police filed charge sheet.

In such circumstances, plea for parity cannot be overlooked.

Consequently, we grant the same facility 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 also subject to the conditions as laid down under Section 438(2) of the

Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 480 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)