

20.02.2024

Serial no. 08

Anticipatory Bail

[Allowed]

Dd

CRM (A) 555 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **894** of **2023** dated **15.07.2023** under Sections **304/337/338/308/109/120B/34** of the Indian Penal Code, 1860 adding Sections **302/326/307** of IPC and Sections **3/4/6** of Explosive Substances Act, 1908.*

-And-

In the matter of : **Fajlur Rahman @ Fazlu @ Kulkula & Ors.**
... .. **Petitioners**

Md. Wasim Akram,, Advocate
... .. *For the Petitioners*

Mr. Bibaswan Bhattacharya, Advocate
... ..*For the State*

Police filed charge sheet, *inter alia*, under Sections 3/4/6 of the Explosive Substance Act, 1908 as against the petitioner. The charge sheet arraigned other accused on the charge of murder.

Considering the fact that police filed a charge sheet against the petitioner not for murder but under the provisions of the Explosive Substance Act, 1908, 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/- (Rupees Ten Thousand Only) 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 and on further condition that 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 555 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)