

26.02.2024
03
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 623 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **276 of 2023** dated **10.07.2023** under Sections **341/325/326/307/34** of the Indian Penal Code read with Sections **25/27** of the Arms Act.

And

In Re : **Mondal Asraful Haque @ Asraful Sk. & Ors.**

..... petitioners

Ms. Minoti Gomes

Md. G.N. Imrohi

...for the petitioners

Ms. Sonali Das

...for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners did not fire the firearms.

Materials in the Case Diary suggest that the injured suffered gun shot injury as also injuries dealt inflicted by fist and blows.

Apparently, petitioners did not use the firearms.

Other co-accused standing on the same footing were granted bail by the High Court on September 12, 2023 passed in C.R.M. (DB) 3544 of 2023.

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.)