

27.03.2024
03
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1026 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khanakul** Police Station Case No. **608** of **2023** dated **30.08.2023** under Sections **143/341/448/323/325/363/435/379/365/504/506/34** of the Indian Penal Code with Sections **25** and **27** of the Arms Act, pending in the Court of the learned Additional Chief Judicial Magistrate, Hooghly.

And

In Re : **Subhajit Malik & Ors.**

..... petitioners

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourov Mondal
Ms. Laboni Sikdar

...for the petitioners

Mr. Shiladitya Banerjee
Mr. Santanu Talukdar

...for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated due to their political ideology.

We perused the case diary.

No firearm was seized.

There is no injury report in the case diary. The police are proceeding on the basis of injured suffering injuries.

Statement recorded under Section 164 of the Cr.P.C. with regard to the so-called kidnapping are not corroborated at this stage from the materials in the case diary.

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 will report before the Investigating Officer once a fortnight till the conclusion of the investigation. 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.)