

08.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1140 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kushmandi Police Station Case No. 224 of 2023 dated 04.09.2023 under Sections 341/323/325/307/34 of the Indian Penal Code, 1860 pending before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur.

And

In Re : Golam Mortuja @ Mohammad & Ors. petitioners

Mr. Mazahar Hossain Chowdhury
.....for the petitioners

Mr. Sudip Kumar
Sk. Arif Hossain
....for the State

1. Petitioners contend co-accused have been granted anticipatory bail. They pray for similar relief.
2. Learned Lawyer for the State produces the Case Diary.
3. We have considered the materials on record. Co-accused similarly circumstanced with the petitioners have been granted anticipatory bail.
4. Accordingly, we are inclined to grant same relief to the petitioners.
5. 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 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.

6. The application for anticipatory bail is, thus, allowed.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)