

24.04.2024
Item No.26
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1436 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **357** of **2023** dated **17.10.2023** under Sections **307/323/324/326/341/34** of the Indian Penal Code, pending before the Ld. Chief Judicial Magistrate, Malda.

And

In the matter of : Utpal Barman

..... petitioner

Mr. Amarendra Chakraborty
....for the petitioner

Mr. Shekhar Barman
....for the State

Petitioner prays for anticipatory bail.

Police filed charge-sheet.

Claim for parity with other co-accused who were enlarged on anticipatory bail by the order dated February 5, 2024 passed in CRM(A) 5545 of 2023 and order dated February 22, 2024 passed in CRM(A) 575 of 2024 is not being disputed on behalf of the State.

In such circumstances, we grant anticipatory bail 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 be 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1436 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)