

02.05.2024
Item No.6
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1561 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Moyna** Police Station Case No. **0303** dated **12/12/2022** under Sections **307/324/325/326/341/354/506/34** of the Indian Penal Code adding Sections **3/ 4** of Explosive Substances Act, pending before the Court of Learned Chief Judicial Magistrate, Purba Medinipur at Tamruk.

And

In the matter of : Sushanta Midya @ Susanta Midya & anr.
..... petitioners

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh
....for the petitioners

Ms. Sujata Das,
Ms. Suchismita Dutta
....for the State

Petitioners pray for anticipatory bail.

Police filed charge-sheet.

Petitioners before us claim parity with the other co-accused who was granted anticipatory bail by the order dated April 18, 2024 in CRM(A) 1154 of 2024.

Since police filed charge-sheet, and since, materials in the Case Diary do not suggest that petitioners before us are at a different footing than that of other co-accused, 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 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1561 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)