

09.7.2024
SL No.22
Ct No. 29
SB

CRM (A) 2235 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Jalangi Police Station Case No. 428 of 2023 dated 24.12.2023 under Sections 304/34 of Indian Penal Code.

And

Ajbar Sk. @ Ajbar Mondal
Vs.
The State of West Bengal

Mr. Jisan Iqbal Hossain ... for the petitioner.

Mr. Ashok Das ... for the State

1. Claiming parity with the other co-accused who have been enlarged on anticipatory bail by a co-ordinate Bench on 20.5.2024 is not disputed by the learned counsel for the State.
2. It further appears from record that co-accused persons standing on the same footing have been enlarged on anticipatory bail by co-ordinate Benches from time to time. One of which is CRM (A) 1665 of 2024 decided on 20.5.2024.
3. The learned counsel for the State in opposing the prayer, however, has fairly submitted that the petitioners stand on the same footing as that of the other co-accused persons who have been granted anticipatory bail in CRM (A) 1530 of 2024, CRM (A) 1665 of 2024, CRM (A) 1679 of 2024, CRM (A) 1699 of 2024 and CRM (A) 1762 of 2024.
4. In view of the fact that a number of co-accused were granted anticipatory bail from time to time and the claim for parity with such co-accused cannot be disputed and also having regard to the fact

that charge-sheet has already been filed, we allow the prayer for anticipatory bail of the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present petitioner shall appear before the learned Chief Judicial Magistrate, Berhampore, Murshidabad within two weeks from date and pray for regular bail.
6. It is further directed 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 presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Soumen Sen, J.)