

24.07.2024
SL No.18
Court No.29
(gc)
(Allowed)

CRM (A) 2444 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure read with Section 482 of BNSS, 2023 filed in connection with Murshidabad Police Station Case No.73 of 2024, dated 01.02.2024 under Sections 302/120B/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In the matter of : **Gurucharan Roy & Ors.**

- Petitioners.

Mr. Tapodip Gupta

....For the Petitioners.

Mr. Debapriya Samanta

....For the De facto Complainant.

Ms. Faria Hossain, Ld. APP.

Ms. Debjani Das Gupta

... For the State.

1. Claiming parity with the accused Shankar Roy who was granted anticipatory bail on 2nd July, 2024 in CRM (A) 2022 of 2024, a prayer for anticipatory bail is made in respect of the present petitioners.
2. The learned Counsel appearing on behalf of the State admits that the present petitioners stand on the same footing as that of Shankar Roy.
3. The de facto complainant although opposed the prayer for anticipatory bail but could not show how the present petitioners stand on a different footing than Shankar Roy.
4. Accordingly, we are inclined to grant anticipatory bail to the present petitioners as we are of the view that the present petitioners stand on the same footing as that of Shankar Roy.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Gurucharan Roy, Shricharan Roy @ Sricharan Roy, Jaylal Roy @ Joylal Roy, Haricharan Roy, Ram Charan Roy @ Ramcharan Roy** and **Mithai Roy**, 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. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad in connection with Murshidabad Police Station Case No.73 of 2024 within two weeks from date and pray for regular bail.
6. It is further directed that the petitioners shall appear each and every date of hearing 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.
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.

(Soumen Sen, J.)

(Uday Kumar, J.)