

11.12.2024
rc/ct.no.34
Item No.170

CRR No. 2950 of 2024

In the matter of : Mr. Ashmit Yadav & Anr.

.....Petitioners

Mr. P.K.Gupta
Mr. Sreyash Kumar Singh ...for the Petitioners

Mr. Satadru Lahiri
Mr. Safdar Azam
Syed Wasim Faruque ...for the O.P.

The petitioners are aggrieved by the condition imposed by the learned Sessions Judge (In-Charge), Alipore, South 24-Parganas in an order passed on June 13, 2024 in Criminal Misc. Case No. 1841 of 2024. In allowing the prayer for anticipatory bail of the petitioners, the learned Judge has directed the petitioners to pay 50% of the due amount within six months from the date of the order.

Learned counsel for the petitioners has placed reliance on the authority in **Dilip Singh** Vs. **Sate of Madhya Pradesh & Anr.** reported in **(2021) 2 Supreme Court Cases, 779** and **Bimla Tiwari** Vs. **Sate of Bihar & Ors.** reported in **(2023) 11 Supreme Court Cases, 607** and has submitted that such practice of imposition of conditions while dispensation of application for bail has been deprecated by the Hon'ble Supreme Court.

The petitioners seek to withdraw the present application and approach the learned Sessions Judge, Alipore, South 24-

Parganas for modification/ relaxation of the order impugned dated June 13, 2024.

Such liberty is granted.

In the event the petitioners file an application for relaxation/ modification of the order before the learned Sessions Judge, Alipore, South 24-Parganas within a week from date, the learned Judge shall consider and dispose of the application upon hearing the parties, in accordance with law.

Since the petitioners are on anticipatory bail, their personal appearance before the learned Sessions Judge, Alipore, South 24-Parganas when the application shall be considered, is dispensed with.

CRR No. 2950 of 2024 is disposed of accordingly.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)