

02.08.2024  
SL No.4  
Court No.29  
(gc)  
(Allowed)

**CRM (A) 2569 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of BNSS, 2023 filed in connection with Amta Police Station Case No.06 of 2021 dated 07.01.2021 under Sections 147/148/149/323/326/307/379 of the Indian Penal Code and 25/27 of the Arms Act & 3 & 4 of the E.S. Act.

And

In the matter of : **Sk. Sakil**

- Petitioner.

Sk. Toslim Ali

....For the Petitioner.

Mr. Sudip Kumar,

Mr. Ivan Roy

... For the State.

1. Claiming parity with the co-accused, Khalil Rahaman Mallick @ Khalilur Rahaman Mullick @ Mallik & Ors. in CRM (A) 430 of 2022 who have been granted anticipatory bail on 1<sup>st</sup> March, 2022, a prayer for anticipatory bail is made on behalf of the present petitioner.
2. The learned Counsel appearing on behalf of the State, however, has fairly submitted that the present petitioner stands on the same footing as that of Khalil Rahaman Mallick @ Khalilur Rahaman Mullick @ Mallik & Ors.
3. In view thereof, the application for anticipatory bail is allowed.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sk. Sakil**, shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 corresponding to Section 482(2) of the BNSS, 2023 with further direction that the petitioner shall meet the Investigating Officer once in a week till the submission of the final report.

5. It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.
6. In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, 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.)**