

20.08.2024

Court No.29

Item No. 16

Allowed

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CRM (A) 2845 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panrui Police Station Case No. 34 of 2022 dated 14.03.2022 corresponding to G.R Case No. 351 of 2022 under Sections 467/468/471/474/420/120B/504/506 of the Indian Penal Code.

And

In Re: **Abdus Sattar Molla & Anr.**

Petitioners

Mr. Tapas Kumar Ghosh

Mr. Tanmoy Chowdhury

For the Petitioners

Mr. Subhomoy Bhattacharya

Mr. Sourat Nandy

For the State

Mr. Sanjib Kumar Dan

For the De-facto Complainant

1. Claiming parity with the co-accused Sanjoy Das, a prayer for anticipatory bail is made.
2. Learned counsel for the petitioners submits that the petitioners stand on the same footing as that of Mr. Abdus Sattar Molla and Abdul Kayum Molla, who have been granted anticipatory bail by this bench on 29.7.2024 in CRM (A) 2507 of 2024.
3. Considering the materials available in case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that the co-accused, Sanjoy Das & Abdus Sattar Molla have been granted anticipatory bail in CRM (A) 5135 of 2022 on 15.11.2022 and in CRM (A) 2507 of 2024 on 29.7.2024 respectively, we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Abdus Sattar Molla and Abdul Kayum Molla** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that the petitioners will report to the Investigating Officer once in a month till the conclusion of the investigation and on further 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.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)