

30.08.2024
Court No.29
Item No. 18

Allowed

SM/MD

CRM (A) 2962 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Panrui Police Station Case No. 36 of 2022 dated 15.03.2022 under Sections 467/468/471/474/420/120B/504/506 of the Indian Penal Code, 1973 pending before the Court of learned Chief Judicial Magistrate, Birbhum at Suri, Birbhum.

And

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

Petitioners

Mr. Tapas Kumar Ghosh,
Mr. Tanmoy Chowdhury

For the Petitioner

Mr. Rudradipta Nandy,
Ms. Sanjana Saha

For the State

1. Claiming parity with the co-accused Sanjoy Das, who was granted anticipatory bail in CRM(A) 5135 of 2022 on 15.11.2022 and Abdus Sattar Molla and another on 29.07.2024 in CRM (A) 2507 of 2024, a prayer for anticipatory bail is made on behalf of the petitioners. It is further submitted that the petitioner no. 1 on the selfsame allegation in respect of another police case was granted anticipatory bail on 29.07.2024.
2. The learned Counsel appearing on behalf the State, in opposing the prayer for anticipatory bail, has submitted that the petitioner no. 1 and petitioner no. 2 have fabricated documents on the basis of which multiple transfers had taken place and their custodial interrogation is necessary.
3. Considering the materials available in the 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 and 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 29.07.2024 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.25,000/- each, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of 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.)