

03.01.2024

Sl.22

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4309 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bharatpur** Police Station Case No.**305 of 2023** dated **24.08.2023** under Sections **186/188/332/353/506/34** of the Indian Penal Code, corresponding to G.R. Case No.1607 of 2023.

And

In the matter of: **Samiul Islam @ Kiran**

....petitioner.

Mr. Habibur Rahaman

Mr. Archishman Singh

Ms. Jasika Alam

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 passed by the Coordinate Bench.

By such order, the interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We considered the materials in the case diary.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. He refers to the complaints lodged with regard to supply of inferior quality of foodstuffs to the dealership.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that, the government officials received simple injuries.

Apparently, there are complaints prior in point of time lodged by the petitioner with regard to the supply of inferior quality of foodstuffs. The injury suffered is simple in nature.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we confirm the interim anticipatory bail granted to the petitioner on October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4309 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)