

23.09.2024
SL No.17
Court No.29
(gc)
(Allowed)

CRM (A) 3415 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Mothabari Police Station Case No.167 of 2024 dated 26.03.2024 under Sections 341/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of : **Shyamal Mandal & Ors.**

- Petitioners.

Mr. Ramdulal Manna
Mrs. Manju Manna (Dey),
Mr. Sayan Mukherjee,
....For the Petitioners.

Mr. Joydeep Roy,
Ms. Baishakhi Chatterjee
... For the State.

1. The learned Counsel for the petitioners submits that claiming parity with the Bhola Mandal, who was granted anticipatory bail by an order dated 6th August, 2024 passed by a Coordinate Bench in CRM (A) 2683 of 2024, the present petitioners may be granted anticipatory bail.
2. The learned Counsel for the State in usual fairness admits that the present petitioners are standing on the same footing as that of Bhola Mandal, who has been granted anticipatory bail on 6th August, 2024.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Shyamal Mandal, Biswajit Mandal** and **Ajay Mandal**, 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023. The petitioners shall meet the I.O. once in a week till the submission of the final report and shall appear before the learned Trial Court within two weeks from date.

5. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)