

04.01.2024

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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4361 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jhargram** Police Station Case No. **29** of **2023** dated **02.02.2023** under Section 325/326/307/120B of the Indian Penal Code, read with Section 25/27 of the Arms Act.

And

In re: Sk. Kunu Ali alias Sk. Didar Ali
..... petitioner

Mr. Pravas Bhattacharjee
....for the petitioner

Mr. Soumik Ganguly
....for the State

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

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

Learned advocate appearing for the petitioner submits that, co-accused was enlarged on anticipatory bail by an order dated August 29, 2023 passed in C.R.M. (A) 3426 of 2023.

Learned advocate appearing for the State does not dispute the claim of parity.

In such circumstances, on the ground of parity, we confirm the interim order dated 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/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once a fortnight till the completion 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)