

04.01.2024

Serial no.65

Anticipatory bail

[Allowed]

Dd

CRM (A) 4479 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **465** dated **July 09, 2023** under Sections **326/307/34** of the Indian Penal Code, 1860 read with Section **25/27** of the Arms Act, (G.R. Case No. 3013/2023)*

-And-

*In the matter of : **Billal Mondal @ Billal Hossain**
... .. **Petitioner***

*Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srijan Ghosh,
Mr. Subhrajit Dey,
Ms. Monami Mukherjee, Advocates
... .. For the Petitioner*

*Mr. Binay Panda,
Mr. Subham Bhakat, Advocates
... ..For the State*

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary.

Petitioner prays for anticipatory bail on the ground of parity with other co-accuseds who were enlarged on anticipatory bail by the order dated September 12, 2023.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary and to the injuries suffered by two injured persons.

The injury report was taken into consideration by the coordinate Bench while granting anticipatory bail to the co-accused.

Police filed charge sheet.

In such circumstances, on the ground of parity, we extend the same facility to the petitioner before us. We, thus, confirm the interim order granted on October 16, 2023.

Consequently, we grant anticipatory bail to the petitioner.

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 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 4479 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)