

10.01.2024

DL.12
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4784 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nanda Kumar** Police Station Case No.**242 of 2023** dated **05.07.2023** under Sections **341/323/324/325/307/427/380/506/34** of the Indian Penal Code, 1860, [G.R. Case No.2279 of 2023].

And

In the matter of: **Sk. Joynal Ali & Ors.**

....petitioners.

Mr. Saibal Mondal

Mr. Partha Pratim Sinha ... for the petitioners.

Mr. Rudradipta Nandy, Ld. APP

Ms. Sonali Das

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

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

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 perused the materials in the case diary.

The prayer for anticipatory bail is on the basis of parity with co-accused who were enlarged on anticipatory bail by the order dated August 28, 2023 passed in CRM (A) 3322 of 2023.

Claim for parity is not being disputed on behalf of the State.

In such circumstances, we confirm the interim order dated October 17, 2023.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

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

C.R.M. (A) 4784 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)