

09.01.2024

Item No.170(M.L.)

Ct.No.29

dc./srm

Allowed

C.R.M. (A) 4801 of 2023

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Uttarpura Police Station Case No. 353 of 2022 dated 23.09.2022 under Sections 399/402 of the Indian Penal Code.

And

In Re : **Sayeed Mahatab @ Vicky** ... Petitioner.

Mr. Sanjib Mitra ... For the Petitioner.

Md. Anwar Hossain,
Ms. S. Biswas ... 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 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 perused the materials in the case diary.

Apparently, the petitioner was wanted for preventive detention.

Considering the gravity of the offence and involvement of the petitioner, we confirm the interim order dated October 17, 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 also 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 will report before the Investigating Officer as and when called for by the Investigating Officer 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.

The application for anticipatory bail is, thus, allowed.

CRM(A) 4801 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)