

21.02.2024
DL-61
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5284 of 2023
With
IA No.: CRAN 1 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bally** Police Station Case No.13 of 2023 dated **04.02.2023** under Sections **420/406/467/468** of the Indian Penal Code, 1860 .(G.R. Case No.547 of 2023).

And

In the matter of: **Sri Manoj Kumar**

....petitioner.

Mr. Sandip Chakraborty
Mr. Kaustav Das

...for the petitioner.

Mr. Abhishek Sinha

... for the State in CRM(A) 5284 of 2023.

Mr. Joydeep Roy
Ms. Debjani Dasgupta

... for the State in CRAN 1 of 2024.

For the ends of justice, order dated January 31, 2024 dismissing the application for anticipatory bail is recalled.

C.R.M. (A) 5284 of 2023 is restored to its original file and number.

IA No.: CRAN 1 of 2024 is allowed.

Claim for parity with the other co-accuseds who were enlarged on anticipatory bail by the order dated October 3, 2023 passed in CRM(A) 3968 of 2023 and order dated January 11, 2024 passed in CRM(A) 4891 of 2023 is not being disputed on behalf of the State.

In such circumstances, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

C.R.M. (A) 5284 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)