

01.02.2024
Item No.699
Ct. No. 29
PG/KS
Allowed

C.R.M.(A) 5422 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No.**598** of **2022** dated **16.04.2022** under Sections **399/402/34** of the Indian Penal Code, 1860 and **25/27 of the Arms Act.**

And

In the matter of : **Susanta Ghosh & Anr.**

.....Petitioners.

Mr. Amitabha Karmakar

....for the Petitioners.

Mr. Swapan Banerjee

Ms. Mamata Jana

....for the State.

Police filed charge-sheet.

Application for anticipatory bail was filed prior to the proclamation and attachment been executed. That apart, materials in the case diary does not suggest requirement of custody of the petitioners at this stage.

In such circumstances, we grant anticipatory bail to the petitioners.

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 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 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.

This application for anticipatory bail is, thus, allowed.

C.R.M.(A) 5422 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)