

12.12.2024

28

sdas

Allowed

C.R.M. (A) No. 4334 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Dankuni Police Station Case No. 154 of 2023 dated 11.05.2023 under Sections 341/419/420/395/411/34 of the Indian Penal Code.

And

In Re : Suroj Kumar Mondal petitioner

Mr. Prosenjit Mukherjee

Mr. Ujjal Gayen

.....for the petitioner

Mr. Kunal Ganguly

....for the State

1. Learned Counsel for the petitioner submits co-accused Rajkumar Mahato has been granted anticipatory bail. It is also submitted there is no legally admissible evidence connecting him with the crime. He prays for similar relief.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits accused persons had come in two cars and committed dacoity. Some of them were apprehended and identified in test identification parade. Name of the petitioner had transpired from the statement of the said accused. He does not stand on the same footing with Rajkumar Mahato as he was named by the accused who were not put up for identification.

3. We have considered the materials on record. Allegations involve robbery on the highway. However, complicity of the petitioner has transpired from the statement of co-accused during investigation. Co-accused has been granted

anticipatory bail. Investigation is complete. Under such circumstances, we are inclined to extend the same relief to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date and on further conditions that :

- i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
- ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O.

5. The concerned arresting officer is hereby directed to act upon the server copy of this order.

6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.

7. The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)

