

06.02.2024

Serial no. 80
Anticipatory Bail
[Partly Allowed]
Dd

CRM (A) 5528 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1452** of **2023** dated **25.10.2023** under Sections **341/325/326/307/34** of the Indian Penal Code, 1860.
(G.R. Case No. 3477/2023)*

-And-

In the matter of : **Sukit Alam & Ors.**

... .. **Petitioners**

*Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Sabnam Laskar, Advocate
... .. For the Petitioners*

*Mr. Angshuman Chakraborty, Advocate
... ..For the State*

Injured suffered grievous hurt implicating petitioner nos. 8, 12, 14 and 15 playing active role in inflicting such injuries.

Considering such role of such petitioners, we are unable grant anticipatory bail to petitioner nos. 8, 12, 14 and 15.

So far as the other petitioners, namely, petitioner no. 1 (Sukit Alam); petitioner no. 2 (Sk. Masirul); petitioner no. 3 (Sk. Mosirul @ Naso); petitioner no. 4 (Jahidul @ Banga @ jahedul Hossain); petitioner no. 5 (Sk. Rabbani @ Rabbani Kha); petitioner no. 6. (Samijul @ Sekh Samijul), petitioner no. 7 (Sk. Sahadul @ Atalu) petitioner no. 9 (Harej Mohammad) petitioner no. 10 (Sk. Mohammad Islam @ Sk. Mahammad @ Sk Md. Islam), petitioner no. 11 (Sk. Youshuk @ Sk. Yousuf Ali @ Sk Yusuf) petitioner no. 13 (Jahur Ali @ Johur Alam), we grant anticipatory bail to such petitioners.

Accordingly, we direct that in the event of arrest the petitioner no. 1 (Sukit Alam); petitioner no. 2 (Sk. Masirul);

petitioner no. 3 (Sk. Mosirul @ Naso); petitioner no. 4 (Jahidul @ Banga @ jahedul Hossain); petitioner no. 5 (Sk. Rabbani @ Rabbani Kha); petitioner no. 6. (Samijul @ Sekh Samijul), petitioner no. 7 (Sk. Sahadul @ Atalu) petitioner no. 9 (Harej Mohammad) petitioner no. 10 (Sk. Mohammad Islam @ Sk. Mahammad @ Sk Md. Islam), petitioner no. 11 (Sk. Youshuk @ Sk. Yousuf Ali @ Sk Yusuf) petitioner no. 13 (Jahur Ali @ Johur Alam) 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation and and on further condition that the such 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 such petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner no. 1 (Sukit Alam); petitioner no. 2 (Sk. Masirul); petitioner no. 3 (Sk. Mosirul @ Naso); petitioner no. 4 (Jahidul @ Banga @ jahedul Hossain); petitioner no. 5 (Sk. Rabbani @ Rabbani Kha); petitioner no. 6. (Samijul @ Sekh Samijul), petitioner no. 7 (Sk. Sahadul @ Atalu) petitioner no. 9 (Harej Mohammad) petitioner no. 10 (Sk. Mohammad Islam @ Sk. Mahammad @ Sk Md. Islam), petitioner no. 11 (Sk. Youshuk @ Sk. Yousuf Ali @ Sk Yusuf) petitioner no. 13 (Jahur Ali @ Johur Alam) is **allowed**.

Prayer for anticipatory bail of the petitioner nos. 8, 12, 14 and 15 is **rejected**.

CRM (A) 5528 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)