

19.02.2024

Serial no. 82

Anticipatory Bail

[Partly Allowed]

Dd

CRM (A) 5608 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **454** of **2023** dated **20.09.2023** under Sections **341/323/325/307/34** of the Indian Penal Code, 1860.*

(G.R Case No. 3151/2023)

-And-

In the matter of : **Abdus Samad @ Abdus Samad Sk & Ors.**

... .. Petitioners

Mr. Ali Ahsan Alamgir,

Ms. Soma Mal,

Ms. Rubia Khatoon,

Ms. June Modak, Advocates

... .. For the Petitioners

Mr. Mainak Gupta, Advocate

... ..For the State

CRM (A) 5608 of 2023 is dismissed as infructuous so far as the petitioner nos. 2 and 5 are concerned as they were arrested.

Apparently, an incident of assault took place leading to two persons suffering injuries. One person apparently suffered grievous hurt.

Police filed charge sheet.

In view of the nature of the incident and the involvement of the petitioners before us apart from petitioner nos. 2 and 5, we grant anticipatory bail to petitioner no. 1 (Abdus Samad @ Abdus Samad Sk); petitioner no. 3 (Sad Ali); petitioner no.4 (Jamal Sk); petitioner no. 6. (Rajesh Sk @ Rajibul Hoque), petitioner no. 7 (Mostafa Sk @ Mustofa Sk); petitioner no. 8 (Lokman Sk @ Md. Lokman Ali); petitioner no. 9 (Umor Sk @ Omar Sk); petitioner no. 10 (Azahar Sk @ Ajahar Sk);

petitioner no. 11 (Mahabub Sk @ Mahabur Sk) and petitioner no. 12 (Ebadul Sk @ Ebadul Hoque).

Accordingly, we direct that in the event of arrest the petitioner no. 1 (Abdus Samad @ Abdus Samad Sk); petitioner no. 3 (Sad Ali); petitioner no.4 (Jamal Sk); petitioner no. 6. (Rajesh Sk @ Rajibul Hoque), petitioner no. 7 (Mostafa Sk @ Mustofa Sk); petitioner no. 8 (Lokman Sk @ Md. Lokman Ali); petitioner no. 9 (Umor Sk @ Omar Sk); petitioner no. 10 (Azahar Sk @ Ajahar Sk); petitioner no. 11 (Mahabub Sk @ Mahabur Sk) and petitioner no. 12 (Ebadul Sk @ Ebadul Hoque) 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 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 (Abdus Samad @ Abdus Samad Sk); petitioner no. 3 (Sad Ali); petitioner no.4 (Jamal Sk); petitioner no. 6. (Rajesh Sk @ Rajibul Hoque), petitioner no. 7 (Mostafa Sk @ Mustofa Sk); petitioner no. 8 (Lokman Sk @ Md. Lokman Ali); petitioner no. 9 (Umor Sk @ Omar Sk); petitioner no. 10 (Azahar Sk @ Ajahar Sk); petitioner no. 11 (Mahabub Sk @ Mahabur Sk) and petitioner no. 12 (Ebadul Sk @ Ebadul Hoque) is **allowed**.

CRM (A) 5608 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

