

03.01.2024

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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 5710 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangajal Ghati** Police Station Case No. **96 of 2023** dated **9.7.2023** under Section 341/323/325/307/506/34 of the Indian Penal Code.

And

In Re : Swapan Ghosh & Ors.

..... petitioners

Mr. Krishnendu Bhattacharya

Mr. Priyankar Ganguly

Ms. Neelanjana Ghorui

Ms. Sarmistha Basak

....for the petitioners

Ms. Subhasree Patel

....for the State

Prayer for anticipatory bail of the petitioner is based on parity with other co-accused who were enlarged on anticipatory bail by the order dated September 8, 2023 passed in CRM (A) 3849 of 2023 by the Coordinate Bench.

Claim for parity is not being disputed on behalf of the State.

In such circumstances, we extend the same facility 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/-, 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 petitioner will report before the Investigating Officer once in 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)