

03.01.2024

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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 5700 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haroa** Police Station Case No. **232** of **2023** dated **8.6.2023** under Section 399/402 of the Indian Penal Code and Section 25/27 of the Arms Act.

And

In Re : Sk. Nowaj Sorif @ Naoyaj Sharif
..... petitioner

Mr. Satadru Lahiri
Mr. Safdar Azam
Mr. Jyotirmoy Talukder
....for the petitioner

Mr. S. Bapuli
Ms. Sima Biswas
....for the State

Similarly circumstanced co-accuseds were granted anticipatory bail by the Coordinate Bench.

Police apparently requires preventive detention. The petitioner is yet to be detained.

In such circumstances, We grant anticipatory bail 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 shall meet the Investigating Officer as and when called for by the Investigating Officer 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.)