

17.03.2025

Serial no. 22
Anticipatory Bail

[Allowed]

Dd

CRM (A) 898 of 2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Raiganj** Police Station FIR No. **1152** of **2023** dated **31.10.2023** under Sections **447/323/325/326/307/354/34** of the Indian Penal Code, 1860 corresponding to **Bharatiya Nyaya Sanhita, 2023** pending before Court of learned CJM, Raiganj, Uttar Dinajpur.*

-And-

In the matter of : **LAKHO MAHALDAR AND ANR.**

... ... Petitioners

Mr. Sayantan Hazra, Advocate

... ... For the Petitioners

Mr. Shaila Afrin,

Ms. Trisha Rakshit, Advocates

... ...For the State

1. Claim for parity with the other co-accuseds who were enlarged on anticipatory bail by the order dated February 6, 2024 passed in CRM(A) 363 of 2024 is not being disputed on behalf of the State.
2. Police filed charge sheet.
3. In such circumstances, we are inclined to grant anticipatory bail to the petitioners on the ground of parity.
4. Accordingly, we direct that in the event of arrest the petitioners 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 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further

condition that the 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

5. Prayer for anticipatory bail of the petitioners is **allowed**.
6. **CRM (A) 898 of 2025** is **disposed of**.

(Debangsu Basak, J.)

(Smita Das De, J.)