

28.02.2023

Sl. No.32
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 139 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.02.2023 in connection with Sahebganj Station Case No. 181 of 2021 dated 04.05.2021 under Sections 448/323/325/307/427/379/435/506/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act. (G.R. Case No.242 of 2021)

And

In Re: ***Azizar Rahaman @ Md. Azizar Rahaman***

... .. Petitioner

Mr. Partha Pratim Sarkar
Mr. Sudip Guha

... .. for the petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy

... .. for the State

It is submitted on behalf of the petitioner that co-accused has been granted pre-arrest bail. Accordingly, petitioner prays for similar relief.

Learned Advocate for the State produces the case diary.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who has been granted pre-arrest bail. Under such circumstances, we are inclined to extend the same relief to the petitioner also.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Azizar Rahaman @ Md. Azizar Rahaman***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also 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 appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)