

IT E M NO.58

COUR T NO.9

SECT I O N I I

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).8519 /2008

(From the judgment and order dated 12/11 / 2008 in CR M No. 11141 / 2008 of  
The H I G H C O U R T O F C A L C U T T A)

A H I B H U S A N M A N D A L Petitioner(s)

V E R S U S

S T A T E O F W E S T B E N G A L Respondent(s)

(With appln(s) for stay of arrest and exemption from filing O.T. and office report)

Date: 02/03 / 2 009 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R. J U S T I C E D A L V E E R B H A N D A R I

H O N ' B L E M R. J U S T I C E H A R J I T S I N G H B E D I

For Petitioner(s) Mr. Rauf Rahim, Adv.

For Respondent(s) Mr. Tara Chandra Sharma, Adv.

UPON hearing counsel the Court made the following  
O R D E R

We have heard learned counsel for the parties.

Learned counsel for the petitioner submits that five persons were named in the FI R. Four other accused persons, namely, Ramk rishna Chalak, Santosh Giri, Bijoy Giri and Tapan Giri were granted anticipatory bail by the High Court. In the FI R, no special act has been attributed to the petitioner. There is no reason why

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the case of the petitioner should not be treated at par with the other four accused persons who were granted anticipatory bail by the High Court.

In the facts and circumstances of this case, we direct that in the event of arrest, the petitioner shall be released on bail on the following conditions:

- (i) That the petitioner shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(ii) That the petitioner shall make himself available to the Investigating Officer as and when required for the purpose of investigation.

This order of anticipatory bail shall remain operative for a period of four weeks from date and in the meantime, the petitioner shall surrender before the learned Magistrate and pray for regular bail, which will be considered and disposed of by the learned Magistrate in accordance with law.

The special leave petition stands disposed of accordingly.

(K.K. Chawla)  
AR- Cum- PS

(Neeru Bala Vij)  
Court Master