

06.08.2021
Item no.14.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1595 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 2.2.2021 in connection with Nalhati Police Station Case No.13 of 2021 Dated 11.01.2021 under Sections 447/323/325/326/354/506 of the Indian Penal Code

And

In the matter of : Jasimuddin Mallick

.....Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Sahafor the Petitioner.

Mr. Sandip Chakraborty.....for the State.

The allegation against the petitioner is, inter alia, under Sections 323/325/326/354 of the Penal Code. Allegedly, the petitioner inflicted grievous bodily harm on the victim. The petitioner says that the incident was an out-fall of a dispute between the neighbours.

We have considered the material in the case diary. The injury report does not show any significant injury. Given the nature of the allegation against the petitioner and on an overall assessment of the facts and circumstances of the case, we are of the opinion that immediate custodial interrogation of the

petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1595 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)