

34. 28.07.2021

Ct.32

Tanmoy

C.R.M. 1636 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09/02/2021** in connection with **English Bazar Women Police Station Case No. 107 of 2018** dated **10/08/2018** under Sections **447/308/354/506/34** of the Indian Penal Code.

And

In the matter of: - **Sk Massu @ Masidur Rahaman & Ors.**

....petitioners.

Mr. Sagar Saha

...for the petitioners.

Mr. Bidyut Kr. Roy,
Mr. M.F.A. Begg,
Ms. Rita Datta

...for the State.

The petitioners have been charged with offences punishable under Sections 447/308/354/506/34 of the Indian Penal Code.

Learned Advocate for the petitioners submits that there was an altercation between the family members who are neighbours pertaining to installation of a water pipe by the victim at a place which belonged to the petitioners, without the permission of the petitioners. This led to physical jostling and caused injury to the victim.

Learned Advocate for the State produces the Case Diary which we have perused. We have seen the medical injury report. There is nothing significant in such report. Further, it appears to be a dispute between neighbours who are also family members.

On an overall consideration of the facts and circumstances of the case and of the material on record, we are

of the view that the petitioners need not be immediately taken into custody for interrogation. Further, charge-sheet has also been filed.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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.

The application for anticipatory bail being C.R.M. 1636 of 2021 is, thus, **allowed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)