

48.  
04-08-2021  
(ct. no.32)  
KOLE  
Disposed of

**(Via Video Conference)**

**CRM 2178 of 2021**

**In re:** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagardighi Police Station** Case No. **589 of 2020** dated **12-12-2020** under Sections **341/235/326/307/34** of the Indian Penal Code.

- A n d -

**In the matter of : Tutul Hazra**

.... Petitioner.

Mr. Usuf Ali Dewan,  
Mr. Asif Dewan

... For the Petitioner.

Mr. Sandip Chakraborty,

... For the State.

The petitioner is one of the two accused persons. The charge is of inflicting grievous bodily harm on the victim. The charge of attempt to murder has also been pressed into service. We are told that the co-accused person has been granted anticipatory bail by the learned Court below. We have considered the material in the case diary including the injury report and the statement of the injured person recorded under Section 161 of the Code. The injury is serious. The petitioner appears to be the principal assailant. Charge sheet has not yet been filed. We are not inclined to grant anticipatory bail to the petitioner.

However, in the event the petitioner surrenders before the Learned Court below within a week from date, he will not be arrested for a period of one month from date. If he applies for regular bail before the appropriate court upon

notice to the State, such application shall be decided in accordance with law without being influenced by any observation in this order.

CRM No. 2178 of 2021 is, thus, disposed of.

**( Suvra Ghosh, J. )**

**( Arijit Banerjee, J. )**