

42.
27-08-2021
(ct. no.32)
KOLE
Allowed

CRM 2329 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhagwangola Police Station** Case No. **265 of 2020** dated **06.06.2020** under Sections **447/448/354/325/307/435/436/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Ab Halim @ Abdul Halim @ Laltu Sk & Ors.

.... Petitioners.

Mr. Rabia Khatoon,

... For the Petitioners.

Mr. S. Banerjee,

Mr. P. Bose,

... For the State.

The petitioners say that the alleged incident was a fight between two groups. Blows were exchanged. The victims suffered simple injury.

We have seen the injury report in the case diary. The petitioners are right. The injury is of simple nature.

Charge sheet has already been filed. On an overall assessment of the material on record and the extent of possible complicity of the petitioners in the alleged offence, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they are prepared to cooperate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners 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 the event the petitioners fail to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 2329 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)