

118. 30.07.2021

Ct.32

Tanmoy

Allowed

C.R.M. 2731 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **16/03/2021** in connection with **Sagar Police Station Case No. 100 of 2020** dated **06/07/2020** under Sections **325/308/506/34** of the Indian Penal Code.

And

In the matter of: - **Sk. Ayub Ali @ Sk. Ayub Islam**petitioner.

Mr. Sandeep Prasad Shaw,
Mr. Anupam Some,
Ms. Priyanka Gupta (through V.C.),
Ms. Ilika Patra

...for the petitioner.

Ms. Faria Hossain Ali,
Ms. Baisali Basu

...for the State.

The petitioner is one of the two accused persons. The charge is of causing grievous bodily harm to the victim.

The petitioner says that there was an altercation with the victim regarding the issue of payment of wages to the victim who is in the employment of the petitioner. There was exchange of blows and the victim sustained injury.

Learned Advocate for the State produces the Case Diary. We have seen the injury report. We have also seen the statements of persons under Sections 161/164 of the Code of Criminal Procedure.

We are told that the other accused person has been granted regular bail by the learned trial Court. Charge-sheet has been filed.

On an overall consideration of the facts and circumstances and the nature and gravity of the allegation as also the material in the Case Diary, we are of the view that immediate custodial interrogation of the petitioner may not be necessary.

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. 2731 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.)