

07. 13.09.2021

Ct.32

Tanmoy

Allowed

C.R.M. 2987 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **24/03/2021** in connection with **Diamond Harbour Police Station Case No. 163 of 2020** dated **10/05/2020** under Sections **341/325/326/307/506/34** of the Indian Penal Code.

And

In the matter of: - **Abdul Motaleb Laskar @ Chhattu & Ors.**

....petitioners.

Ms. Saloni Bhattacharjee

...for the petitioners.

Mr. S. Bapuli, Ld. A.P.P.,
Mr. Arijit Ganguly

...for the State.

It is alleged that the petitioners beat up the victim and caused grievous bodily harm to him.

The petitioners say that it was a case of political rivalry and there was a free fight. In the process, the victim suffered injury which is not of serious nature. One of the accused persons has been enlarged on bail by the learned trial Court.

We have seen the injury report and statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. The injury does not appear to be serious. No specific overt act appears to have been attributed to the petitioners. Charge-sheet has been submitted.

On an overall assessment of the facts and circumstances of the case and the material on record we are of the view that immediate custodial interrogation of the petitioners may not be

necessary so long as they co-operate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners, *viz.*, **1. Abdul Motaleb Laskar @ Chhattu, 2. Noor Ali Molla, 3. Soyed Alam Mondal, 4. Alamgir Laskar, 5. Sakir Hossain Molla, 6. Haffijul Gazi, 7. Kalimuddin Laskar @ Kalim Laskar, 8. Asadulla Laskar, 9. Chamdni Laskar @ Samdani Laskar** 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.

In case the petitioners fail 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 being C.R.M. 2987 of 2021 is, accordingly, disposed of.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)