

23.09.2021

CRM 3025 of 2021

court no. : 28
Item no. : PB-193
matter : 438
status : ALLOWED
transcriber : nandy

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 25.03.2021 in connection with Ranaghat Police Station Case No. 01 of 2021 dated 04.01.2021 under Sections 341/323/325/326/34 of the Indian Penal Code.

and

In the matter of: **Sanat Kumar Ghosh**

.....Petitioner

Mr. Parvej Anam, Advocate

.....for the Petitioner

Mr. Md. Anwar Hossain, Advocate

Ms. Ratna Ghosh, Advocate

.....for the State

Apprehending arrest in connection with Ranaghat Police Station Case No. 01 of 2021 dated 04.01.2021 under Sections 341/323/325/326/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

Petitioner is the elder brother of the *de facto* complainant. It is found from the case dairy that the petitioner used to keep his minor daughter under the custody of the *de facto* complainant. The petitioner noticed that for the said minor daughter of his brother, the education of his own daughter was being hampered. Over the said issue, a quarrel broke out and as a result of emotional outburst, *the de facto* complainant was assaulted by the petitioner.

We have heard the learned Advocates for the petitioner and the learned defence Counsel. Though a case under Section 326 of the Indian Penal Code, which is non-bailable in nature, has been recorded against the petitioner, it is

ascertained from the case diary that the nature of injury received by the *de facto* complainant was simple.

Considering such aspect of the matter we are of the view that the petitioner is entitled to be released on anticipatory bail.

Thus, the prayer of anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Additional Chief Judicial Magistrate, Ranaghat on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall attend the trial Court on every date of hearing until further order.

The application for anticipatory bail being **CRM 3025 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)

