

17.12.2021
Sl. No.13
akd
[ALLOWED]

C. R. M. 4681 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.07.2021 in connection with Harishchandrapur Police Station Case No. 427 of 2021 dated 06.06.2021 under Sections 447/323/324/326/307/34 of the Indian Penal Code. (G.R. Case No.1245 of 2021)

And

In Re: **Nuraj Ali & Ors.**

... .. Petitioners

Mr. Sagar Saha

... .. for the petitioners

Mr. Arijit Ganguly
Mr. Avik Ghatak

... .. for the State

Pursuant to our earlier direction, Investigating Officer is personally present before this court. His presence is noted and dispensed with.

It is submitted on behalf of the petitioners that there was a family dispute and case and counter-case were registered.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Keeping in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioners, we are of the opinion whether the injuries as disclosed in the injury report are grievous or life threatening may be adjudged in the course of trial. Under such circumstances, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely (1) **Nuraj Ali**, (2) **Nur Alam**, (3) **Tumpa**

Bibi @ Khatun, (4) Jahera Khatun @ Bibi, (5) Abdul Barek @ Maha Barek, (6) Muksed Ali, (7) Sk. Ruku @ Ruksed Ali & (8) Chobi Bibi,
be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos.1, 2, 5, 6 & 7 shall meet the Investigating Officer once in a week until further orders and the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)