

13.12.2021
ct 28
cm/suvayan
sl no. 109

C.R.M. 4982 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Shyampur P.S Case No. 287 of 2021 dated 21.07.2021 under Sections 447/323/325/354/B/379/506/34 of the Indian Penal Code.
And

**Partly
Allowed**

In Re : Tapan Mondal & Ors.

..... petitioners

Mr. Syed Mosihar Rahman

..... for the petitioners

Mr. Naryan Prasad Agarwal

Mr. Ashok Das

..... for the State

Prayer for anticipatory bail of petitioner nos.2, 3 and 4 are dismissed as not pressed.

It is submitted on behalf of petitioner that there was a free fight between the parties.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of petitioner No.1 and as there was a free fight, allegation of physical assault is not supported by the medical evidence, we are inclined to grant anticipatory bail to petitioner No.1.

Accordingly, we direct that in the event of arrest, the petitioner No.1 shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

Petitioner No.1 shall appear before the court below and pray for regular bail within two weeks from date.

The application being CRM 4982 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)