

02.09.2021
tkm/ct 29
sl no. 28

C.R.M. 5612 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mothabari P.S Case no. 208 of 2021 dated 19.7.2021 under sections 448/323/324/308/506/34 of the IPC

And

Allowed

In Re : Abodh Sarkar & Ors.

..... petitioners

Mr. S Pachal

..... for the petitioners

Mr. S G Mukherjee, Id PP

Ms. Faria Hossain

Ms. Baisali Basu

..... for the State

Petitioners seek anticipatory bail.

Learned advocate for the petitioners submits that the incident occurred due to family dispute. There are cases and counter case between the petitioners and the de facto complainant. He submits that the de facto complaint who were accused in the police case filed by the petitioners obtained anticipatory bail.

Learned advocate for the State opposes the prayer for anticipatory bail. He draws attention of the Court to the statement recorded under section 161 Cr.P.C and the injury report.

Having considered the materials in the case diary and bearing in mind the nature of injury, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners 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 and on further condition that the petitioner no. 1 and 3, while on bail, shall meet the investing officer twice in a week until further orders. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 5612 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)