

14.12.2021
cm/ct 28
sl no. 100

C.R.M. 5901 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chanchal P.S Case No. 295 of 2021 dated 28.04.2021 under Sections 341/324/325/307/379/354B/506/34 of the Indian Penal Code.
And

Allowed

In Re : Ariful@ Arifur Rahaman & Ors.

..... petitioners

Mr. Kazi. M. Rahaman

..... for the petitioners

Mr. Siladitya Banerjee

..... for the State

Petitioner Nos.2 & 4 were arrested. Hence, their prayer for anticipatory bail is dismissed as infructuous. Petitioner No.6 is not named in the charge sheet. Accordingly his prayer for bail is dismissed as not maintainable.

It is contended that there are case and counter case between the parties and the other petitioners have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations including the injury report which does not disclose grievous injuries, we are of the opinion custodial interrogation may not be necessary and petitioner Nos. 1, 3 and 5 be granted pre-arrest bail.

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 be subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Petitioners shall appear before the court below and pray for regular bail within two weeks from date.

The application being CRM 5901 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)