

11.11.2021

CRM 6881 of 2021

court no. : 28
Item no. : PB-23
matter : 438
status : ALLOWED
transcriber : nandy

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 25.10.2021 in connection with Harishchandrapur Police Station Case No. 675 of 2020 dated 02.10.2020 under Sections 341/325/324/308/354/34 of the Indian Penal Code.

and

In the matter of: **Altab Hossain @ Altaf Hossain & Ors.**

.....Petitioners

Mr. Kaustav Bagchi, Advocate

Mr. Arup Sarkar, Advocate

Mr. Debayan Ghosh, Advocate

.....for the Petitioners

Mr. Debabrata Mukherjee, Advocate

Ms. Manasi Roy, Advocate

.....for the State

Apprehending arrest in connection with Harishchandrapur Police Station Case No. 675 of 2020 dated 02.10.2020 under Sections 341/325/324/308/354/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

Learned Advocate for the petitioners submits that there was a scuffle over the construction of a road abutting the properties of the petitioners as well as the de facto complainant. In fact, case and counter-case has been registered as both the parties suffered injuries over the scuffle.

Learned Advocate for the State opposes the prayer for bail. He submits that the injured suffered injuries and also disclosed the names of the petitioners. He further submits that chargesheet has already been submitted.

After hearing the learned Counsel for the parties and on perusal of the materials-on-record including the injury report, we do not find that custodial interrogation of the petitioners is necessary. Furthermore, chargesheet has already been submitted.

In view of the above, the prayer for anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioners namely, **1. Altab Hossain @ Altaf Hossain 2. Estab Ali @ Estab 3. Mohobul Hoque @ Mohabul Ali 4. Saidur Rahaman @ Saidur Islam @ Boga & 5. Anikul Islam**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer, on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioners shall attend the trial Court on each date of hearing, default of which shall disentitle them the privilege the Section 438 of the Code.

The application for anticipatory bail being **CRM 6881 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

