

16.12.2021.
138.
as
(Allowed).

C.R.M. 7252 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kumarganj P. S. Case No.58 of 2021 dated 29.03.2021 under Sections 341/325/304/34 of the Indian Penal Code.

In the matter of : Faijur Rahaman Mia & Ors.
... Petitioners.

Mr. S. K. Humayan Reza.
...for the Petitioners.

Mr. Swapan Banerjee,
Ms. Sima Biswas.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners there was a free fight by and between the parties and they have been falsely implicated in the instant case.

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

We have considered the materials on record. Petitioners do not appear to be the principal assailants. Keeping in mind the extent of complicity of the petitioners in the alleged crime and as investigation is complete, 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 subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)