

17.12.2021
tkm/ct 28
sl no. 65

C.R.M. 8021 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Domkal P.S case no. 409 of 2021 dated 14.7.2021 under sections 341/325/308/34 of the Indian Penal Code

And

Allowed

In Re : Basir Molla & Ors.

..... petitioners

Mr. J I Hossain

..... for the petitioners

Mr. Ranabir Roy Chowdhury

Mr. S Chakraborty

..... for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the injury report. Nothing is placed on record to show that the victim had been hospitalized. Whether injuries are grievous or not requires to be assessed in the light of the attending facts and circumstances during trial

Under such circumstances, we are of the opinion though custodial interrogation of the petitioners is not necessary, they require to co-operate with investigation in accordance with law.

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 and on further condition that petitioner

nos. 1 to 5 while on bail, shall meet the investigating officer once 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 8021 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)