

17.12.2021

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Allowed

**C.R.M. 8265 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 338 of 2021 dated 15.10.2021 under Sections 341/325/308/506/34 of the Indian Penal Code.

And

In Re : Anaul Islam & Ors. petitioners

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
.....for the petitioners

Mr. Shiladitya Banerjee
.....for the State

Learned Counsel appearing for the petitioners submits there was a free fight between the parties.

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

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission that there was a free fight between the parties and considering the nature of injuries and as the victims were hospitalized only for a single day, we are of the opinion that petitioners may be granted anticipatory 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/- (Rupees Ten Thousand Only) 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 conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)