

21.12.2021
Item no.45.
Court No.28.
AB

CRM No. 8380 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nanoor Police Station Case No.74 of 2021 Dated 10.5.2021 under Sections 448/323/325/326/307/34 of the Indian Penal Code

And

**In the matter of : Laru @ Naru Mete @
 Naru Gopal Mete & Ors.**

.....Petitioners.

Mr. Somnath Banerjee,
Mr. Pronojit Roy for the Petitioners.

Mr. N. P. Agarwala,
Mr. Pratick Bose for the State.

Liberty to correct the cause title of the petition by correcting the name of petitioner no.1.

It is submitted on behalf of the petitioners that case and counter case were registered over the selfsame incident.

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

We have considered the materials in the case diary. Petitioner no.1 is the principal assailant. Petitioner no.5 also assaulted the victim. In view of the role played by the said petitioners, we are not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail stands rejected so far as petitioner nos.1 and 5 is concerned.

However, keeping in mind the extent of complicity of the other petitioners, namely petitioner nos.2, 3 and 4, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest the petitioner nos. 2, 3 and 4 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 they shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail is, thus, partly allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

