

22.12.2021

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Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M. 8494 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **440** of **2021** dated **06.10.2021** under Sections 341/323/325/307/34 of the Indian Penal Code, 1860.

And

In Re : Shubhankar Sarkar & Ors.

..... petitioners

Mr. Ashim Kumar Chakraborty

....for the petitioners

Mr. Siladitya Banerjee

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, one of the accused was granted anticipatory bail by the Jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the injury suffered by the victim and the statement of the injured.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the Statement recorded under Section 161 of the Code of Criminal Procedure of the victim, we are unable to grant anticipatory bail to the petitioner nos. 1, 2 and 4, namely, Shubhankar Sarkar, Mithun

Halder and Bhagirath Sarkar. We, however, grant anticipatory bail to the petitioner nos. 3, 5 and 6 namely, Ratan Sarkar, Sandip Mondal @ Kalu Ghosh and Sudarshan Sarkar @ Baidyanath Sarkar.

Accordingly, we direct that in the event of arrest the petitioner Nos. 3, 5 and 6 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 the petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

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

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

