

01.02.2022  
Item no. 67  
Court No.32  
Avijit Mitra

**C.R.M.(A) 184 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Kaliachak Police Station Case No.1102 of 2021 dated 09.10.2021 under Sections 448/323/324/325/307/34 of the Indian Penal Code,;

And

**In Re : Alam Sk. & ors.**

.... petitioners

Mr. A. Bhattacharya,  
Mr. Sagar Saha

....for the petitioners

Mr. Imran Ali,  
Ms. Pritha Paul

..... for the State

Heard the learned lawyer for the petitioners. Perused the case diary.

Learned lawyer for the petitioners submitted that the allegation is omnibus and exaggerated. No substantial incriminating elements are there against the present petitioners. On the strength of such submission anticipatory bail is prayed for.

Learned lawyer representing the State submitted that the three victims were hospitalized and two were under treatment for couple of days. The injury report discloses serious injury and strong incriminating elements are there against the petitioners. Accordingly, he pleaded for rejection of the anticipatory bail application.

Perused the case diary. It appears that one of the victims namely, Rakila Bibi, was stayed in the hospital for one day and another for three days. No statement of the injured persons were

recorded. No instruments of assault are seized. On perusal of case diary, other materials and nature of accusations, we are inclined to allow the application of the present petitioners.

Accordingly, we direct that in the event of arrest, the petitioners namely, **Alam Sk, Tunu Sk. @ Abdur Rahaman, Sumon Sk., Sadikul Sk., Babu Sk. @ Sukru Sk., Karul @ Karul Sk. @ Karun, Himi Bibi, Iliyas Sk and Suriya Bibi @ Surima**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further direction that the petitioners except petitioner nos. 7 and 9 shall meet with the Investigating Officer once a week till investigation is complete.

The petitioners shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioners' bail without any further reference to this Court.

The application for anticipatory bail being C.R.M.(A) 184 of 2022 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**