

02.02.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. (A) 482 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1097** of **2021** dated **11.12.2021** under Sections 448/323/325/354/379/307/34 of the Indian Penal Code, 1860.

And

In Re : Noimuddin @ Naimuddin & Ors.

..... petitioners

Mr. K. Bagchi

Mr. A. Sarkar

....for the petitioners

Mr. Bidyut Roy

Ms. Sima Biswas

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, the present police complaint is a counter blast to the previous one lodged by the petitioners. He submits that, the incident occurred out of property dispute.

Learned advocate appearing for the State draws the attention of the Court to the injury report and the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the fact that there is a previous complaint by the petitioners and considering the injury report and the 161 Cr.P.C. statement, gravity of the offence and the complicity of

the petitioners therein, we grant anticipatory bail to the petitioners.

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 the petitioner nos. 1 to 5 i.e. Noimuddin @ Naimuddin, Rahamat Ali @ Rahamat Alim, Harun Rashid @ Rasid, Abed Ali, Hajarat Ali @ Hazarat Ali respectively shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner no.6 (Nurnehar Bibi @ Nahar Bibi @ Nahar) shall cooperate with the Investigating Officer 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, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

