

03.03. 2022

Court No.32
rpan / **33**

CRM (A) 507 of 2022

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re.: **Roky Sk. @ Md. Rocky Momin**

- Petitioner

Mr. Arindam Ray (through v.c.)

... for the Petitioner.

Ms. Anasuya Sinha (through v.c.),

Mr. Pinak Kr. Mitra

... for the State.

Apprehending arrest in connection with Khargram Police Station Case No.40 of 2022 dated 14.01.2022 under Sections 341/325/308/34 of the Indian Penal Code, the petitioner has filed the present application.

Heard the learned advocates appearing for the respective parties.

Considering the materials on record, including the injury report and bearing in mind the nature of accusations in the light of the submissions of the respective parties and in view the fact that upon completion of investigation chargesheet has been submitted, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Roky Sk. @ Md. Rocky Momin** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with two sureties of like amount each, one of whom must be local, 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.

It is further directed that the petitioner shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 507 of 2022 is, thus, 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.)