

20 07.02.2022
(AD)
Court No.29
(Partly
Allowed)

C.R.M. (A)565 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** P.S. Case No. **719 of 2021** dated **01/10/2021** under Sections **341/325/326/307/354/379/506/34** of the Indian Penal Code, 1860.

And

In the matter of: Md. Mesebul & Ors.

....petitioners.

Mr. M. Nazar Chowdhury
Ms. Priyanka Saha

...for the petitioners.

Mr. S.S. Imam
Mr. Arabinda Manna

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the First Information Report and the injury report.

Considering the fact that the first petitioner is named in the First Information Report as the assailant and considering the nature of injury of the victim, we are unable to grant anticipatory bail to the first petitioner (Md. Mesebul). Accordingly, the prayer for anticipatory bail of the first petitioner is rejected. However, we grant anticipatory bail to the three other petitioners, namely, Shahnur Begum (petitioner no.2), Noor Jabe (petitioner no.3) and Reshma Begum (petitioner no.4).

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/- each with two sureties of like amount each to the satisfaction of the Arresting Officer and also 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.2,3 and 4 will cooperate with the investigation and shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M.(A) 565 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)