

22.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1334 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogalberia** Police Station Case No. **73** of **2022** dated **09.03.2022** under Sections 447/325/326/307/34 of the Indian Penal Code, 1860.

And

In Re : Mangal Ghosh & Ors.

..... petitioners

Mr. Kustav Bagchi

Mr. Amanul Islam

Mr. Sourav Mukherjee

Mr. Debayan Ghosh

....for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, there are disputes with regard to cattle. There is a previous police complaint.

Learned advocate appearing for the State submits that, despite repeated requests, he was not provided with the injury report of the victim in the case diary.

Considering the gravity of the offence and the involvement of the petitioners therein and in absence of the injury report, 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/-, 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 (Mangal Ghosh) and 2 (Dhananjay Ghosh) shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 3 (Malati Ghosh) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

