

29.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1443 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **761** of **2021** dated **06.10.2021** under Sections 341/323/324/325/308/34 of the Indian Penal Code, 1860.

And

In Re : Alamgir & Ors.

..... petitioners

Mr. Koustav Bagchi

Mr. A. Ahmed

Ms. Priti Kar

Mr. Debayan Ghosh

....for the petitioners

Mr. Soumik Ganguly

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. The principal accuseds were granted bail by the Jurisdictional Court.

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

It appears from the 161 Cr.P.C. statement that, Nasik and Jahangir are the persons, who were involved in the incident of assault.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that the police filed charge-sheet, 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 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.)

