

01.04.2022
Serial no. 37
[Dd]
(Anticipatory Bail
Partly Allowed)

CRM (A) 1531 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **150** of **2022** dated **02.03.2022** under Sections **341/325/326/307/34** of the Indian Penal Code.

-And-

In the matter of : **Sourav Ghosh & Ors.**

... .. Petitioners

Ms. Minoti Gomes,
Mr. Asraf Mondal, Advocate
... .. *For the Petitioners*

Mr. Aniket Mitra, Advocate
... ..*For the State*

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the incident occurred due to an altercation in a party.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim. He also refers to the materials in the case diary.

The petitioner no. 1 is implicated in the injury caused to the victim.

Considering the materials in the case diary, we are not inclined to grant anticipatory bail to petitioner no. 1, Sourav Ghosh. However, we are inclined to grant anticipatory bail to the petitioner no. 2, Amuresh Ghosh and petitioner no. 3, Debashish Ghosh @ Deba.

Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 3 shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand

Only) 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. 2 and 3 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner nos. 2 and 3 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 petitioner nos. 2 and 3 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **partly allowed**.

CRM (A) 1531 of 2022 is disposed **of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)