

11.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1657 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santaldih** Police Station Case No. **07** of **2022** dated **10.02.2022** under Sections 447/325/308/323/354/509/506/34 of the Indian Penal Code, 1860.

And

In Re : Janmenjoy Hazara & Anr.

..... petitioners

Mr. Pawan Kumar Gupta

Mr. Sougata Mitra

Ms. Sofia Nesar

Ms. Ankita Dey

Mr. Santanu Sett

....for the petitioners

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioners submits that, there was a free fight where the petitioner also received injury and was hospitalised.

Learned advocate appearing for the State draws the attention of the Court to the statement of the mother of the injured recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.) and to the materials in the case diary.

The injury report of the victim in the present police case shows that the injuries are simple in nature.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, 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 further condition that the petitioners shall meet the Investigating Officer once in a week 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.)

