

13.04.2022

Sl. 13
Court No.29
suvayan
(Allowed)

CRM (A) 1697 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** P.S. Case No. **14 of 2022** dated **05/01/2022** under Sections **447/325/326/379/417/34** of the Indian Penal Code, 1860.

And

In the matter of: Ashadul Mistri & Ors.

....petitioners.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...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 there was a free fight. Two police cases were registered in respect of the same incident. None was at the behest of the petitioners.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the injury reports of the victims.

Considering the nature of injuries the victim suffered and considering the gravity of the offence and the involvement of the petitioners therein, 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/- (Rupees Ten Thousand Only) each with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that

the petitioners will report before the Investigating Officer once in a fortnight 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1697 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)