

13.04.2022

29

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1713 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bamongola** Police Station Case No. **56** of **2022** dated **27.02.2022** under Sections 341/326/307 of the Indian Penal Code, 1860.

And

In Re : Sunil Mahato

..... petitioner

Mr. Kalidas Saha

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Md. Kutubuddin

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the incident arose out of previous enmity between the victim and the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and the statement of the victim recorded under Section 161 of the Code of Criminal Procedure and the materials in the case diary.

Considering the nature of injury suffered by the victim and considering the gravity of the offence and the involvement of the petitioner therein, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner 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 shall meet the Investigating Officer once in a week till the conclusion of the investigation and on condition that the petitioner 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 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.)