

28.04.2022

19

Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M.(A) 1939 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogalberia** Police Station Case No. **131** of **2022** dated **18.04.2022** under Sections 341/325/326/34 of the Indian Penal Code, 1860.

And

In Re : Sudhamay Debnath & Ors.

..... petitioners

Ms. Minoti Gomes

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioners

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioner no. 3 was arrested and, therefore, the present application be treated as 'dismissed as not pressed' so far as the petitioner no. 3 is concerned.

In such circumstances, CRM(A) 1939 of 2022 is dismissed as not pressed so far as the petitioner no. 3 (Santana Debnath) is concerned.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the gravity of the offence and the nature of injury suffered by the victim and considering the involvement of the petitioner nos. 1, 2 and 4 in the incident, we grant anticipatory bail to the petitioner nos. 1 (Sudhamay Debnath), 2 (Pranab Debnath) and 4 (Pijush Debnath).

Accordingly, we direct that in the event of arrest the petitioner nos. 1, 2 and 4 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

