

10.05.2022

15

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2083 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. **283** of **2022** dated **15.04.2022** under Sections 341/325/326/307/34 of the Indian Penal Code, 1860.

And

In Re : Arjina Khatun Shaikh & Anr.

..... petitioners

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioners

Mr. Joydeep Roy

Ms. Sujata Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners that, the incident arose with regard to disputes of dumping of garbage.

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

Considering the materials in the case diary, the injury of the victim and the 161 Cr.P.C. statement of the victim, 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/- 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 no. 2 (Khoda Box Shaikh @ Khodabuks Sekh) shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and the petitioner no. 1 (Arjina Khatun Shaikh) shall cooperate with the Investigating Officer 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.)

