

10.05.2022

Serial no. 31

[Dd]

(Anticipatory bail
Allowed)

CRM (A) 2099 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **86** of **2022** dated **23.02.2022** under Sections **448/323/325/354/307/506/34** of the Indian Penal Code giving rise to G.R. Case no. **526/2022**.

-And-

In the matter of : **Sk. Mojammel Ali**

... .. Petitioner

Mr. Amal Krishna Samanta, Advocate
... .. *For the Petitioner*

Mr. Bidyut Kr. Roy,
Ms. Rita Datta, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that there is a counter police complaint also. He submits that the police filed charge sheet and, therefore, custodial interrogation of the petitioner is not required.

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

Considering the fact that police filed charge sheet and considering the gravity of the offence and the involvement of the petitioner therein, we are inclined to 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/- (Rupees Ten Thousand Only), 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 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.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM (A) 2099 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)