

12.05.2022

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 2127 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **133** of **2022** dated **16.03.2022** under Sections 323/341/325/354/506/34 of the Indian Penal Code, 1860.

And

In Re : Mazibar Shaikh @ Majibar Rahaman Sk. & Ors.  
..... petitioners

Mr. Amanul Islam  
Mr. Sourav Mukherjee  
....for the petitioners

Mr. Tanmoy Kumar Ghosh  
Mr. Arindam Sen  
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, there was a free fight over an issue with regard to delivery of bricks.

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 (Cr.P.C.).

Considering the nature of injury suffered by the victim and considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, 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 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.)**