

18.05.2022

Sl. 13
Court No.29
sourav
(Partly
Allowed)

C.R.M. (A) 2203 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **94** of **2022** dated **06.05.2022.2022** under Sections **341/323/325/326/34** of the Indian Penal Code.

And

In the matter of: **Attab Meer @ Mir & Ors.**

....petitioners.

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Krishan Roy
Mr. Sourik Das
Mr. Sourav Mukherjee
Mr. Anamitro Banerjee

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP
Mr. Soumik Ganguli

...for the State.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the incident arose out of a motorcycle accident.

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

The victim suffered grievous hurt.

Considering the statement of the victim recorded under Section 161 of the Criminal Procedure Code, we are unable to grant anticipatory bail to the petitioner no. **1 (Attab Meer @ Mir)**, however, we grant anticipatory bail to the other petitioners.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 to 6 shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting

Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. **4 (Arfatan Bibi @ Arafatan Bibi @ Meer @ Mir)** and **5 (Hasena Bibi @ Hasina)** will co-operate with the investigation and on condition that the petitioner nos. **2 (Manju @ Majanu Meer @ Mir)**, **3 (Babu Meer @ Mir)** and **6 (Sentu Biswas)** will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 2203 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

