

19.05.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2263 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Md. Bazar** Police Station Case No. **344** of **2021** dated **29.12.2021** under Sections 341/323/326/307/34 of the Indian Penal Code, 1860.

And

In Re : Tazel Sk. @ Tajerul Sekh & Anr.

..... petitioners

Mr. Sujoy Sarkar

....for the petitioners

Mr. Debabrata Chatterjee

Ms. Sonali Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police complaint was lodged 54 days after the alleged incident. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim. She submits that, the victim suffered fracture injury.

Considering the delay in lodgment of the First Information Report and 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.)

(Bivas Pattanayak, J.)