

06.06.2022
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Partly
Allowed

CRM (A) 2317 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No. 651 of 2021 dated 14.11.2021 under sections 341/324/325/326/307/379/506/34 of the Indian Penal Code.
And

In Re : Prasenjit Mondal & Anr. petitioners

Mr. Kusal Kumar Mukherjee
..... for the petitioners

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
..... for the State

It is submitted by the learned Counsel appearing on behalf of the petitioners that petitioner no. 1 has been arrested in the meantime. Accordingly, his prayer for anticipatory bail is dismissed as infructuous.

Having considered the materials in the case diary and bearing in mind the nature of allegations including the injury report wherein the injuries do not appear to be grievous, we are inclined to grant anticipatory bail to the petitioner no 2.

Accordingly, we direct that in the event of arrest, the petitioner no. 2 shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on condition that he shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)