

13.06.2022
SI. No.112
akd
[PARTLY
ALLOWED]

C. R. M. (A) 2557 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.06.2022 in connection with Chapra Police Station Case No. 79 of 2022 dated 12.02.2022 under Sections 341/323/308/354/34 of the Indian Penal Code.

And

In Re: **Ramjan Molla & Ors.**

... .. Petitioners

Mr. Kusal Kumar Mukherjee

... .. for the petitioners

Mr. S.S. Imam

Mr. Arabinda Manna

... .. for the State

We are informed petitioner no.2 has been arrested in the meantime.

Accordingly, the prayer for anticipatory bail in respect of petitioner no.2 namely, **(2) Mustakim Molla @ Mustakin Molla @ Baga** is dismissed as infructuous.

We have considered the materials on record including statements of witnesses as well as injury report. Petitioner no.3 assaulted the victim with bricks. Accordingly, the victim suffered grievous injuries. Hence, we are not inclined to grant anticipatory bail to her.

Accordingly, the prayer for anticipatory bail of the accused/petitioner no.3 namely, **(3) Anjira Molla** is rejected.

However, keeping in mind the extent of complicity of the petitioner nos.1 & 4 in the alleged crime, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the accused/petitioner nos.1 & 4 namely **(1) Ramjan Molla & (4) Chhamena Molla**, be released on bail upon furnishing 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 also 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 nos. 1 & 4 shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)