

13.06.2022
sdas
126
Partly
Allowed

CRM (A) 2582 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 275 of 2022 dated 05.05.2022 under sections 447/427/326/34 of the Indian Penal Code.

And

In Re : Monu Sekh @ Manirul Sekh & Ors. petitioners

Mr. Asraf Mandal

..... for the petitioners

Mr. S. S. Imam

Mr. S. Kundu

..... for the State

Having considered the materials on record and bearing in mind the prima facie involvement of petitioner nos. 1 and 2 in assaulting the victim resulting in fracture, we are not inclined to grant anticipatory bail to them.

Accordingly, prayer for anticipatory bail in so far as petitioner nos. 1 and 2 concerned is rejected.

However, in view of the extent of complicit of petitioner nos. 3 to 7 in the alleged crime and in the light of the submission that there are case and counter case between the parties, we are inclined to grant anticipatory bail to petitioner nos. 3 to 7.

Accordingly, we direct that in the event of arrest, petitioner nos. 3 to 7 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 subject to the

conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on condition that petitioner nos. 3 to 7 shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail in so far as petitioner nos. 3 to 7 concerned is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)