

15.06.2022
SL No.147
Ct. 28
Saswata

CRM (A) 2705 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Haringhata** P.S. Case No. **178/2022** dated **03.06.2022** under **Sections 448/324/325/308/506/34 of the Indian Penal Code.**

And

In the matter of: **Jiyarul Mondal @ Jiarul Mondal & Anr.**

....Petitioners

Mr. Suvadip Bhattacharjee

...for the Petitioners

Mr. Gautam Banerjee

...for the State.

It is submitted on behalf of the petitioners there was a free fight between the parties and case and counter-case were registered.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Keeping in mind the nature of allegations in the light of the submission there was a free fight between the parties resulting in registration of case and counter-case and as possibility of false implication of the petitioners owing to such enmity cannot be wholly ruled out, we are of the opinion custodial interrogation of the accuseds/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

The prayer for anticipatory bail is thus allowed.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a Bond of Rs.

10,000/- (Rupees Ten thousand only) each with two sureties of like amount each one of whom must be local, 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 petitioners 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.)