

27.06.2022
Serial no. 16
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 2991 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hogalberia** Police Station Case No. **175** of **2022** dated **22.05.2022** under Sections **447/326/307/34** of the Indian Penal Code.

-And-

In the matter of : **Bamacharan Ghosh**

... .. Petitioner

Mr. Asraf Mondal, Advocate

... .. *For the Petitioner*

Mr. Tanmay Kr. Ghosh, Id. SGA

Ms. Sima Biswas, Advocates

... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the incident arose out of disputes relating to distribution of prasad during a puja.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and the statement of the eye-witnesses recorded under Section 161 of the Criminal Procedure Code as well as the statement of the injured recorded under Section 161 of the Criminal Procedure Code. He submits that the elder brother inflicted the injury on the younger brother by a sharp cutting weapon.

The disputes apparently are between two brothers. Apparently there was a dispute with regard to the distribution of prasad during a puja

Considering the nature of the injury suffered and considering the gravity of the offence and the involvement of

the petitioner therein, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM (A) 2991 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)