

30.06.2022

26

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3093 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampur** Police Station Case No. **233** of **2022** dated **31.05.2022** under Sections 341/324/326/354B/379/506/34 of the Indian Penal Code, 1860.

And

In Re : Saifulla Khan & Ors.

..... petitioners

Mr. Debabrata Karan

Mr. Debopriya Karan

....for the petitioners

Mr. Saibal Bapuli

Mr. Soumik Ganguly

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the incident arose out of family dispute.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and to the statement of the victim recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the nature of injury suffered, the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners 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 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 nos. 1 (Saifulla Khan), 3 (Rafik Khan) and 5 (Abdulla Khan) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner nos. 2 (Afroja Khatun), 4 (Sabana Khatun), 6 (Asiya Begum) and 7 (Anisa Khatun) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear on every date 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

