

12.07.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3289 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **192** of **2022** dated **14.04.2022** under Sections 326/307/34 of the Indian Penal Code, 1860.

And

In Re : Mistarul Hoque @ Md. Mistarul Hoque @ Md. Mishtarul Haque
..... petitioner

Mr. Tapodip Gupta

....for the petitioners

Ms. Zareen N. Khan

Md. Kutubuddin

....for the State

Petitioner prays for anticipatory bail.

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

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

Considering the nature of injury suffered by the victim and the 161 Cr.P.C. statement of the victim and considering the fact that the police filed charge-sheet, we 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/-, 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 condition that the petitioner 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 petitioner 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.)