

15.07.2022
Sl. 20
Court No.29
(AD)
(Allowed)

C.R.M. (A) 3375 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nazat** Police Station Case No. **148 of 2022** dated **24.05.2022** under Sections **341/323/325/307/354B/506/34** of the Indian Penal Code.

And

In the matter of: **Suroj Molla & Anr.**

....petitioners.

Ms. Karabi Roy

...for the petitioners.

Mr. Navanil De

...for the State.

Mr. Gora Chand Samanta

... for the de facto complainant.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the incident arose out of a dispute relating to management of waste water. There was a free fight where the petitioners also suffered injuries.

State and the de facto complainant are represented.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the victim was admitted to the hospital for 15 days. He refers to the statement of the victim recorded under Section 161 of the Code of Criminal Procedure.

Learned Advocate appearing for the de facto complainant submits that the prayer for anticipatory bail was rejected by the jurisdictional Court.

The wife of one of the injured persons recorded her statement under Section 164 of the Code of Criminal Procedure. Such person is an eye-witness. She does not name any person in her statement recorded under Section 164 of the Code of

Criminal Procedure.

In such circumstances, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a week 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3375 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)