

15.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3380 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goghat** Police Station Case No. **98** of **2022** dated **20.04.2022** under Sections 448/325/307/34 of the Indian Penal Code, 1860.

And

In Re : Bappa Mondal

..... petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sreemoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
....for the petitioner

Mr. Tanmoy Kumar Ghosh
Ms. Sonali Bhar
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, there was a free fight. The petitioner intervened to save his mother from physical assault. The mother of the petitioner also received injuries.

Learned advocate appearing for the State submits that, out of three accused, two were taken into custody. He refers to the Statement of the victim recorded under Section 161 of the Code of Criminal procedure (Cr.P.C.) as also the injury report of the victim.

Considering the nature of injury suffered by the victim and considering the materials in the case diary 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.)