

20.07.2022
Serial no. 22
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 3452 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. **210** of **2022** dated **23.06.2022** under Sections **341/326/307/354/34** of the Indian Penal Code.

-And-

In the matter of : **Ajbar Mondal & Ors.**

... .. Petitioners

Mr. Asraf Mandal, Advocate

... .. For the Petitioners

Mr. Tanmoy Kr. Ghosh, Id. Sr. GA

Ms. Sonali Bhar, Advocates

... ..For the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the incident arose out of property dispute.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim, his statements recorded under Section 164 of the Criminal Procedure Code and the statements of the two eye-witnesses.

In the statements of one of the eye-witnesses, it is stated that, Mosalima Bibi, who the Court is informed is in custody, assaulted the victim.

In the view of the materials in the case diary depicting the involvement of the petitioners, we are inclined to 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 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 and 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 3 shall cooperate with the investigation till its completion and on further 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.

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

CRM (A) 3452 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)