

10.08.2022
Serial no. 53
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3858 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **G.R. Case No. 1028 of 2022** arising out of **Bagnan** Police Station Case No. **230** of **2022** dated **07.05.2022** under Sections **448/323/325/379/427/506/34** of the Indian Penal Code read with under Sections 3/ 4 of E.S. Act.

-And-

In the matter of : **Sk Rajab Ali**

... .. Petitioner

Mr. Sabyasachi Chatterjee,
Mr. Pintu Karar, Advocates
... .. *For the Petitioner*

Mr. T. D. Nandy,
Mr. Antarikhya Basu, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Criminal Procedure Code and the injury reports of two victims.

The claim made in the statement recorded under Section 161 of the Criminal Procedure Code is that there were country made bomb hurled, from which the victim suffered injuries. The injuries of the victim apparently do not suggest injuries caused by bomb sprinters. In fact, the injury report suggests that the weapon used to inflict the injury was bamboo stick.

The three statements which the learned advocate appearing for the State drew the attention of the Court are seen. Two appears to be the copy-paste of one of the statements.

In such circumstances, we are inclined to 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/- (Rupees Ten Thousand Only), 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 shall report before the Investigating Officer at such time and place as may be specified by the Investigating Officer till the conclusion of the investigation and on further 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.

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

CRM (A) 3858 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)