

02.09.2022
tkm/ct 28
sl no. 2

C.R.M.(A) 4176 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baishnabnagar P.S case no. 594 of 2022 dated 11.7.2022 under sections 448/324/325/326/307/354/379/34 of the IPC

And

Allowed

In Re : Soleman Miya @ Solman Mia @ Soleman Nadab @ Solaman
& Ors. petitioners

Ms. M Gomes

..... for the petitioners

Mr. S S Imam
Mr. R Jana

..... for the State

It is submitted on behalf of the petitioners that there was dispute between the parties and they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the injury report. There appears to be a free fight between the parties. Whether the injuries were grievous or life threatening require to be assessed in the course of trial.

Keeping in mind the aforesaid facts, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail subject to conditions.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 petitioners while on bail shall meet the investigating officer once in a week until further orders and that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM(A) 4176 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)