

05.09.2022

Sl.68

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4248 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdaha** Police Station Case No. **564 of 2022** dated **26.08.2022** under Sections **341/323/326/506/34** of Indian Penal Code.

And

In the matter of: **Nitish Das & Ors.**

....petitioners.

Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Abhra Mukherjee
Mr. Dipankar Mahata

...for the State.

Petitioners pray for anticipatory bail.

It is claimed that there is a counter-case. Anticipatory bail was granted to the accused in such counter-case.

Learned Advocate appearing for the State draws the attention of the Court to the injury report of the victim in the present police case.

The police are not investigating, *inter alia*, under Section 307 of the Indian Penal Code, 1860.

In such circumstances, considering the nature of injury and the gravity of the offence and the involvement of the petitioners therein, 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 fortnight 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) 4248 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)