

06.09.2022

Sl.25

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4254 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kharagpur (Local)** Police Station Case No. **581 of 2022** dated **19.07.2022** under Sections **447/323/325/307/379/506/34** of Indian Penal Code.

And

In the matter of: **Sriniwas Yadav @ Bhola Yadav**

....petitioner.

Mr. Soumyajit Das Mahapatra

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP

Ms. Sonali Das

...for the State.

Petitioner prays for anticipatory bail.

Leave granted to the learned Advocate-on-record for the petitioner to correct the cause-title.

Learned Advocate appearing for the petitioner submits that there was a free fight between the private parties.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the injury report of the victim. He submits that this is the second incident. The petitioner should be directed to stay outside the jurisdiction of the local police station till the conclusion of the investigation.

The injury report of the victim suggests that the victim was bitten by the petitioner. This is the second incident of assault.

In such circumstances, it would be appropriate to grant him anticipatory bail under the following conditions.

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 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 remain outside the jurisdiction of Kharagpur (Local) Police Station till the conclusion of the investigation, save for the purpose of attending Court and reporting to the Investigating Officer. He will inform the Investigating Officer, the Officer-in-Charge of the new Police Station under whose jurisdiction he will be residing as well as the jurisdictional Court as to his residence. He will report to the Investigating Officer once a fortnight till the conclusion of the investigation. He will also report to the Officer-in-Charge of the Police Station where he will be residing every week. 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4254 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)