

14 03.01.2022
(AD) Court No.29
(Partly
Allowed)

**C.R.M. 8961 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliganj** P.S. Case No. **298 of 2021** dated **08/06/2021** under Sections **341/325/308/34** of the Indian Penal Code.

And

In the matter of: Paku Sk. @ Tajemuddin Sk. & Ors..

....petitioners.

Mr. Asraf Mandal

...for the petitioners.

Mr. Navanil De

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the incident was due to disputes between the neighbours. He submits that all the petitioners are not named as assailants.

Learned Advocate for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal procedure.

Considering the gravity of the offences and considering the fact that the petitioner nos.1 and 2 are named as the assailants in the statement recorded under Section 164 of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner no.1, namely, Paku Sk. @ Tajemuddin Sk. and petitioner no.2, namely, Sukurulla Sk. Accordingly, the prayer for anticipatory bail of the petitioner nos. 1 and 2 are rejected. However, we grant anticipatory bail to the petitioner no.3, namely, Patal Sk. @ Haidar Ali Sk. and petitioner no.4, namely, Okit Sk. @ Sk. Akib Ali.

Accordingly, we direct that in the event of arrest, the

petitioner nos. 3 and 4 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 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.3 and 4 shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and that the petitioner nos.3 and 4 shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8961 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)