

31.10.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4733 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tapan** Police Station Case No. **212** of **2022** dated **15.04.2022** under Sections 341/323/325/354/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Ruhul Amin Miya

..... petitioner

Mr. Habibur Rahaman

....for the petitioner

Mr. Avishek Sinha

....for the State

One co-accused was enlarged on anticipatory bail by the Jurisdictional Court.

Several persons received injuries in the incident.

Learned advocate appearing for the State is unable to draw the attention of the Court to any of the materials in the case diary suggesting that any of the victims suffered grievous hurt in the incident.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the police filed charge-sheet, we 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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)