

30.09.2022.
58.
AD/KC
(Partly Allowed).

C.R.M. (A) 4791 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal P. S.** Case No.**531 of 2022** dated **26.08.2022** under Sections **341/325/308/427/354/34** of the Indian Penal Code, 1860..

In the matter of : Abdul Odud Sk & Anr.

... Petitioners.

Mr. S. Basu
Mr. Sandip Chakraborty
Mr. Kaustav Das

...for the Petitioners.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

.....for the State.

We have considered the materials on record. Petitioner no.1 is one of the accused persons who assaulted the husband of the de facto complainant. As a result, he suffered fracture. Hence, we are not inclined to grant anticipatory bail to the petitioner no.1, Abdul Odud Sk.

Keeping in mind the extent of complicity of the petitioner no.2, Hasibur Rahaman Sk. @ Ujjal Sk, in the alleged offence and as he is not one of the accused persons (as per FIR) who assaulted the husband of the de facto complainant, we are inclined to grant anticipatory bail to him.

Accordingly, we direct that in the event of arrest the petitioner no.2 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 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 no.2 shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)