

04.11.2022

Serial no. 04

[Dd]

(Anticipatory Bail)

Petn. 1- Dismissed

Petn. 2-5 Allowed

CRM (A) 4850 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Shyampur** Police Station Case No. **424** dated **September 21, 2022** under Sections **447/323/325/354B/379/427/506/34** of the Indian Penal Code.

-And-

In the matter of : **Saifulla Khan & Ors.**

... .. **Petitioners**

Mr. Debabrata Karan,

Mr. Debopriyo Karan Advocate

... .. For the Petitioners

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee, Advocates

... ..For the State

Learned advocate for the petitioners submits that the first petitioner was arrested and was enlarged on bail by the jurisdictional Court.

In such circumstances, CRM (A) 4850 of 2022 is dismissed so far as the first petitioner (Saifulla Khan) is concerned.

The incident apparently arose due to property disputes.

The injury report of the victim does not suggest that the injured suffered any external injury.

In such circumstances, we are inclined to grant anticipatory bail to the other petitioners, i.e. petitioner no. 2 (Abdulla Khan) petitioner no. 3 (Rafik Khan), petitioner no. 4 (Asiya Begum) and petitioner no. 5 (Anisa Khatun).

Accordingly, we direct that in the event of arrest the petitioner nos. 2, 3, 4 and 5 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 also be 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. 2 and 3 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 4 and 5 shall cooperate with the investigation till its completion and on further condition that the petitioner nos. 2, 3, 4 and 5 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 nos. 2, 3, 4 and 5 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner nos. 2, 3, 4 and 5 is **allowed**.

CRM (A) 4850 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)