

12.10.2022

Vacation Bench
SL No.27
S.Banerjee/s.biswas
(Allowed)

C.R.M. (A) 4858 of 2022

In Re: - An application for bail under Section 438 of the Code of Criminal Procedure in connection with **Hasnabad** P.S. Case No.**345 of 2022** dated **18.07.2022** under Sections **341/323/325/307/506/34** of the Indian Penal Code.

And

In the matter of: **Samsur Molla and others**

....Petitioners

Mr. Kallol Kumar Basu,
Mr. Md. Jannat Ul Firdous,
Ms. T. Mazumder

...for the Petitioners

Mr. Debabrata Chatterjee,
Ms. Manashi Roy

...for the State

It is submitted on behalf of the petitioners that there was a free fight between the parties. Case and counter case was registered. There is delay in lodging First Information Report in the present case. Associates of the petitioners suffered injuries.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail of the petitioners.

We have considered the materials on record. Case and counter case was registered over the self-same incident. There is a delay in lodging FIR. Injuries do not appear to be life threatening.

Keeping in mind the aforesaid circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of ₹10,000/- 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.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)