

12.10.2022.
40.
AGM/AN
(Allowed).

C.R.M. (A) 4871 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kaliganj P. S. Case No.511 of 2022 dated 10.08.2022 under Sections 341/326/307/509 & 34 of the Indian Penal Code.

In the matter of : Madhu Sekh & anr.

... Petitioners.

Mr. Sumanta Das

...for the Petitioners.

Mr. Debabrata Chatterjee, Ld. A.P.P.

Mrs. Debjani Sahu

.....for the State.

Petitioners submit that there was a free fight between the parties and they have been falsely implicated in the case. They pray for anticipatory bail.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the statement of the injured recorded under Section 164 of the Code of Criminal Procedure. One Jakir Hossain Sekh appears to be the principal accused.

Keeping in mind the extent of complicity of the petitioners in the crime, we are of the opinion that they may be granted anticipatory bail.

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

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)