

ASR
/S. 17.10.2022
Bane
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168.

C.R.M (A) 4963 of 2022

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

In Re : Rahul Singh

....Petitioner

Mr. Avishek Chakraborty

...for the petitioner

Mr. Binoy Kumar Panda
Ms. Puspita Saha

.....for the State

This an application for anticipatory bail.

It is submitted that the incident took place on 21st September, 2021 and no steps were taken by the investigating agency subsequent thereto. Investigation has started recently and the petitioner in apprehension of arrest approached this court with the prayer for anticipatory bail.

The prayer for anticipatory bail has been opposed by the learned advocate of the state.

The case diary has been produced before us and we have seen the injury report and the statement made by the complainant under Section 161 of the Code of Criminal Procedure.

Upon considering the gravity of the offence and the extent of complicity of the petitioner in commission

of the alleged offence, we are inclined to grant anticipatory bail as we find that custodial interrogation is not necessary.

Accordingly, in the event of arrest the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/ (rupees ten thousand only) with two sureties of like amount, one of whom shall be local and to the satisfaction of the arresting officer, the petitioner shall be subjected to the condition under Section 438 (2) of the Code of Criminal Procedure and the petitioner shall make himself available for trial before the learned court below as and when the petitioner is called to do so.

CRM (A) 4963 of 2022 is accordingly allowed.

In the event, the petitioner fails to comply with the above condition, the learned court below shall be at liberty for canceling the order without further reference to this court.

(Moushumi Bhattacharya, J.)

(Saugata Bhattacharyya, J.)