

4 21.11.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 5248 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** P.S. Case No.**204 of 2022** dated **24/08/2022** under Sections **323/325/509/379/354B/307/34** of the Indian Penal Code.

And

In the matter of: **Ramendranath Biswas & Anr.**

....petitioners.

Ms. Minoti Gomes
Mr. Asraf Mandal

...for the petitioners.

Mr. Navanil De

...for the State.

Petitioners pray for anticipatory bail.

Apparently, two police complaints were lodged in respect of the same incident. In one of the police complaints, the jurisdictional Court enlarged all the petitioners on bail.

Learned Advocate appearing for the State draws the attention of the Court to the injury report of the injured. He submits, on instructions, that one of the injured suffered fracture. Such injury report was also in the case diary in the police case in which the petitioners enlarged on bail.

In such circumstances, since there are two complaints with regard to the same incident and in one of the police complaints, even on the basis of the injury report present in the present police complaint, the petitioners were enlarged on bail by the jurisdictional Court, we 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 Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties

of like amount each to the satisfaction of the Arresting Officer and also 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.1 will report before the Investigating Officer once a week till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5248 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)