

01.12.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5586 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Egra** Police Station Case No. **49** of **2020** dated **22.01.2020** under Sections 448/341/323/324/354/376/506/34 of the Indian Penal Code, 1860.

And

In Re : Sk. Islam

..... petitioner

Mr. Amitava Karmakar

Mr. Arup Kumar Bhowmick

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Pritha Paul

....for the State

Leave granted to the learned advocate appearing for the petitioner to correct the cause title.

The police filed charge-sheet.

The police omitted the provisions of Section 376 of the Indian Penal Code, under which initially, the police investigated, in the charge-sheet.

The injuries do not suggest that the persons suffered grievous hurt.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)