

CRM (A) 5607 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Ararmbagh Police Station Case No. 272 of 2022 dated 19.09.2022 under Sections 447/323/325/326/504/34 of the Indian Penal Code.

-And-

In the matter of : **Sona Ali Khan @ Sona & Ors.**

... .. Petitioners

Mr. Niladri Sekhar Ghosh, Advocate
Mr. Sompurna Chatterjee, Advocate

... .. For the Petitioners

Mr. Saibal Bapuli, Advocate
Mr. Soumik Ganguli, Advocate

... ...For the State

Petitioners seek anticipatory bail.

The injured suffered grievous hurt.

The injured in a statement named petitioner nos. 1 to 5.

In such circumstances, we are unable to grant anticipatory bail to the petitioner nos. 1 to 5.

So far as petitioner no. 6 (Dilu Ali Khan @ Dilbar Khan) is concerned, since he is not named by the injured, we are inclined to grant anticipatory bail to him.

Accordingly, we direct that in the event of arrest the petitioner no. 6 (Dilu Ali Khan @ Dilbar Khan) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner no. 6 (Dilu Ali Khan @ Dilbar Khan) will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner no. 6 (Dilu Ali Khan @ Dilbar Khan) 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.

Prayer for anticipatory bail of the petitioner no. 6 (Dilu Ali Khan @ Dilbar Khan) is allowed.

Prayer for anticipatory bail of the petitioner nos. 1 to 5 is rejected.

CRM (A) 5607 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)