

CRM (A) 5627 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chandipur Police Station Case No. 162 of 2022 dated 18.05.2022 under Sections 448/323/325/313/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sk. Raju**

... .. Petitioner

Mr. Amal Krishna Samanta, Advocate

... .. For the Petitioner

Mr. Tanmoy Kr. Ghosh, Advocate

Ms. Pritha Paul, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the all other co-accused were enlarged on anticipatory bail by the jurisdictional Court.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the injured recorded under Section 161 of the Code of Criminal Procedure and to the medical evidence corroborating such statement.

In the statement recorded under Section 161 of the Code of Criminal Procedure, the injured names four persons as assailants. Out of the four persons, three were enlarged on anticipatory bail by the jurisdictional Court.

The police filed charge-sheet.

Apparently, the petitioner before us is standing on the same footing as that of the other three co-accused who were granted anticipatory bail.

In such circumstances, we are inclined to 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/- (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 further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 5627 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)