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(AD) 12.12.2022

Court No.29
(Allowed)

C.R.M. (A) 5750 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Keshiyari** Police Station Case No.**200 of 2022** dated **24/06/2022** under Sections **448/323/325/307/354/34** of the Indian Penal Code, 1860.

And

In the matter of: **Nitai Das**

....petitioner.

Mr. Soumyajit Das Mahapatra

...for the petitioner.

Ms. Anasuya Sinha
Ms. Subhasree Patel

...for the State.

Petitioner prays for anticipatory bail.

Apparently, there was a fight between the family members.

It is claimed on behalf of the petitioner that the injured, who is his brother, used to drink, come and beat the mother, who is also an accused. On the fateful date, the injured was misbehaving with the mother where the petitioner intervened in the incident occurred.

The injury report of the injured suggests that there is a small but superficial penetrative wound at the back of the head.

The police filed charge sheet.

Considering the materials in the case diary and the involvement of the petitioner therein, 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/- (Rupees Ten Thousand Only), 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 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5750 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)