

13.12.2022

06

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5773 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **257** of **2022** dated **24.04.2022** under Sections 341/323/325/307/34 of the Indian Penal Code, 1860.

And

In Re : Majibur Rahaman & Anr.

..... petitioners

Mr. Kaushik Chaudhury

Ms. Busra Khatun

....for the petitioners

Mr. Saibal Bapuli

Mr. Arijit Ganguly

Mr. Sanjib Kumar Daan

....for the State

Co-accuseds were granted anticipatory bail on December 2, 2022 passed in CRM(A) 5609 of 2022 on the ground that the injury suffered appeared to be simple in nature.

The petitioners before us are similarly situate as that of the other co-accuseds, who were granted anticipatory bail.

In such circumstances, we extend the same facility 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/- each, 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 petitioners shall meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)