

16.12.2022
Serial no.5
Aloke

CRM (A) 5847 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 684 of 2022 dated 20.10.2022 under Sections 341/323/326/354/34 of the Indian Penal Code.

-And-

In the matter of : **Icharuddin Sekh & Ors.**

... .. Petitioners

Mr. Asraf Mandal, Advocate

... .. For the Petitioners

Mr. Avishek Sinha, Advocate

... ...For the State

Petitioners seek anticipatory bail.

The injured suffered grievous hurt. The injured in his statement recorded under Section 161 of the Code of Criminal Procedure identified the first petitioner as the assailant.

Considering the gravity of the offence and the involvement of the first petitioner, we are unable to grant anticipatory bail to the first petitioner (Icharuddin Sekh).

However, we are inclined to grant anticipatory bail to the petitioner nos. 2, 3 and 4.

Accordingly, we direct that in the event of arrest the petitioner nos. 2 (Safi Sk. @ Md.Safi Sk), 3 (Rabi Sk. @ Rabiul Sk.) and 4 (Muni Bibi @ Mnifa Sk.) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 condition that the petitioner nos. 2 and 3 will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 4 will cooperate with the investigation till the conclusion of the investigation and on further condition that the petitioner nos. 2, 3 and 4 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 nos. 2, 3 and 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner nos. 2, 3 and 4 is allowed.

Prayer for anticipatory bail of the petitioner no. 1 is rejected.

CRM (A) 5847 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)