

16.12.2022
Serial no.8
Aloke

CRM (A) 5851 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 1087 of 2022 dated 28.11.2022 under Sections 341/325/326/307/379/506/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

-And-

In the matter of : **Samayun Ali @ Md. Samayun & Anr.**

... .. Petitioners

Mr. Kallol Mondal, Advocate

Mr. Souvik Das, Advocate

Ms. Sabnam Laskar, Advocate

... .. For the Petitioners

Ms. Ansuya Sinha, Advocate

Ms. Subasree Patel, Advocate

... ..For the State

Petitioners seek anticipatory bail.

As a member of a Panchayat the petitioner no. 1 moved the motion of no confidence and an altercation occurred whereupon there was such injuries.

The injury report does not suggest that the injuries are of a nature of grievous hurt.

In such circumstances, we are inclined to grant anticipatory bail 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/- (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 petitioners will report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 5851 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)