

19.12.2022
Serial no.24
Aloke

CRM (A) 5879 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Swarupnagar Police Station Case No. 1029 of 2022 dated 20.10.2022 under Sections 341/326/307/354/34 of the Indian Penal Code.

-And-

In the matter of : **Asharaf Mollya @ Molla**

... .. Petitioner

Mr. Debasisi Kar, Advocate

... .. For the Petitioner

Mr. Arijit Ganguly, Advocate

Mr. Sanjib Kr. Dan, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

The injured was released after being administered first aid.

The injury report does not suggest that the injured suffered grievous hurt.

Apparently, there was a free fight between the parties.

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 condition that the petitioner shall appear before the Investigating Officer once in a month till the conclusion of the investigation 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) 5879 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)